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1st day

House of Representatives
State of Montana

Helena Nov. 23rd 1889

At the hour of 12 m. the Hon. Edwin A. Kinney State Auditor, called the House to order, Hon. D. A. Cory acting as temporary Secretary.

The roll of the members elected and holding certificates of the State Canvassing Board was called by the Auditor as follows, by Counties:

Beaverhead.	A. C. Witter
	R. J. Wing
Cascade	Edwin A. Kinney
	Charles Lochray
Custer	John M. Boardman
	Samuel Mitchell
Dawson	Hugh J. Moran
	Charles H. Loud
Deer Lodge	J. W. Bloor
	Silver Hughes
	C. K. Handlenbrook
	C. M. Crutchfield
	R. G. Humber
	Thos. Hollywood
	J. R. Cooke
Fergus	John R. Barnows
	John D. Waite
Gallatin	C. P. Blakeley
	D. J. McElwee
Jefferson	Peter Breen
	Geo. E. Pool
	James C. Trohey
Lewis & Clarke	Elizur Beach
	John Horsky
	Harry R. Comley
	Robert N. Harvey
	David A. Cory
	William Wallace Jr.
	Anton M. Holter
	Alex. T. Burns
Madison	Fayette Harrington
	Patrick Carney

Meagher -	E.N. Goodman
	John A. Woodson
Missoula -	A.D. Blake
	W.B Harlan
	T.L Greenough
	T. G. Higgins
	J T Phillips
Park	Charles N. Eaton
	Charles H Stebbins
Silver Bow -	Joseph K. Clark
	James H Monteath
	H. L Frank
	Frank H Hoffman
	W. J Penhale.
	Peter R Dolman
	William Thompson
	Absalom F. Bray
	William A Roberts
	Leopold. F. Schmidt
Yellowstone -	William H. Norton
Cascade Dawson	Martin Newcomer
Gallatin Jefferson	William O. Whaley

The following named members answering to their names.-

R. T. Wing	Martin Newcomer
A. C. Witter	J. W. Blair
Edwin D. Hastie	John. D. Waite
Chas. Lochray	David A Comy.
John M. Boardman	John Horony.
Dani. Mitchell	A. M. Holter
Hugh M. Moran	P. H. Howey.
Chas. H. Loud	Fayette Harrington
E.N. Goodman	A. F. Bray
T. L. Greenough	P. R. Dolman
J. T. Phillips	F. H. Hoffman
W. B. Harlan	J.H. Monteath
A. D Blake	W.H. Roberts
Chas. H. Stebbins	Wm Thompson
Chas. H. Eaton	W.H. Norton

The Hon Henry. N. Blake Chief Justice of the Supreme Court of Montana then appeared upon the floor of the House and administered the following oath to the members present.

" I do solemnly swear that I will support protect
" and defend the Constitution of the United States,
" and the Constitution of the State of Montana, and
" that I will discharge the duties of my office with
" fidelity; and that I have not paid or contributed
" or promised to pay or contribute, either directly or
" indirectly, any money or other valuable thing to
" procure my nomination or election, except for necessary
" and proper expenses expressly authorized by law;
" that I have not knowingly violated any election law
" of this State, or procured it to be done by others in my
" behalf; that I will not knowingly receive, directly or
" indirectly, any money or other valuable thing for the
" performance or non-performance of any act or duty
" pertaining to my office other than the compensation
" allowed by law. So help me God. "

which oath was taken and signed by all the members present.

On the demand of Phillips, of Missoula a call of the House was made and a quorum found present.

On motion of Goodman, of Meagher, the House proceeded to effect permanent organization by the election of officers.

The name of A. O. Witter was placed in nomination for Speaker of the House by Dory, of Lewis & Clarke: no other name being presented nominations were declared closed and Mr. Witter was elected by the following vote:-

Ayes.-	Wing	Goodman
	Hastie	Greenough
	Lochray	Phillips
	Boardman	Harlan
	Mitchell	Blaine
	Moran	Stebbins
	Loud	Galen
	Newcomer	Bray
	Blair	Dolman
	Waite	Hoffman
	Dory	Montieth
	Hanoky	Roberts
	Holter	Thompson
	Harvey	Norton
	Harrington.	

Ayes 29. Nays 0. Absent 0.

Witter not voting.

Messrs Bray and Greenough escorted the Speaker to the chair.

The name of Benj. Webster was placed in nomination for Chief Clerk of the House, by Roberts of Silver Bow; no other name being presented, nominations were declared closed and Benj. Webster was elected by the following vote:-

Ayes:-	Wing	Goodman
	Hastie	Greenough
	Lochrey	Phillips
	Boardman	Harlan
	Mitchell	Blake
	Moran	Gibbins
	Lund	Galen
	Newcomer	Bray
	Blair	Dolman
	Waite	Hoffman
	Foley	Maudeath
	Harney	Roberts
	Holter	Thompson
	Hawley	Norton
	Harrington	Mr. Speaker

Ayes 30 - Nays 0 - Absent 0

The name of Jas. B. Wells was placed in nomination for Engrossing and Enrolling Clerk by Harney, of Lewis & Clark; no other name being presented nominations were declared closed and Mr. Wells, on motion of Hastie, was elected by acclamation.

The name of J.O. Taylor was placed in nomination for Sergeant at Arms of the House by Hastie, of Cascade; no other name being presented nominations were declared closed and on motion of Roberts, Mr. Taylor was elected, by acclamation.

The name of Rev. C. B. Allen was placed in nomination by Roberts of Silver Bow for Chaplain of the House, and on motion of the same member Mr. Allen was elected by acclamation.

The name of Chas. B. Gibbs was placed in nomination by Harlan, of Missoula, for Doorkeeper of the House; no other name being presented nomination was declared closed and on motion of Hoffman, Mr. Gibbs was elected by acclamation.

The name of Frank W. Cochran was placed in nomination by Harvey of Lewis & Clarke, for the position of Page of the House:- no other name being presented nominations were declared closed, and on motion of Harrington Master Cochran was elected by acclamation!

On motion of Goodman a recess was taken until 3 P.M.

At 3 P.M. the House resumed:- Mr. Speaker in the chair:- roll was called:- all members present.

The following resolution was introduced by Dolman of Silver Bow, and carried by acclamation.
" Resolved by the House of Representatives of the
" Legislative Assembly of the State of Montana
" that the thanks of this body be accorded to Mrs.
" Mary Hirschfield in appreciation of her kindness
" in presenting the first bouquet of flowers to adorn
" this Legislative Hall".

Harrington moved that two special committees of 3 each be appointed by the chair, one to wait upon the Governor and one upon the Senate, to inform each that the House was organized and ready to proceed to business: motion carried, pursuant to which the chair appointed Messrs. Holter, Boardman and Harrington as the committee to wait upon the Governor, and Messrs. Lund, Hastie and Thompson the committee to wait upon the Senate.

On motion of Cory the rules and regulations of the last Territorial House were adopted by the House for its use until the committee on Rules and Regulations to be appointed by the Speaker, report.

Goodman moved that a committee of 5 be appointed by the chair to examine and pass upon the credentials of the members:- motion carried, pursuant to which the chair appointed as members of such committee the following gentlemen:- Messrs. Goodman, Eaton, Cory, Wing and Mc

Moran of Dunbar moved that a special committee of 5 be appointed by the chair to report on the rules and regulations by which the House should be governed:- motion carried, pursuant to which the chair appointed as such committee Messrs. Hourigan, Harlan, Monteath, Moran and Bray.

On motion of Dorey a recess of 30 minutes was taken.

4.30 P.M. House resumed:- Roll called:- all members present.

The committee appointed to wait upon the Governor made a verbal report through its Chairman that they had been unable to find the Governor: on motion of Dorey the committee were granted further time to report.

On motion of Dorey the House adjourned until 2 P.M. Monday, Nov. 25th

Moran C. Whitter
Speaker.

Benjamin Bates
Chief Clerk

3rd day

House of Representatives
State of Montana

Helena, Nov. 28th 1889

House met pursuant to adjournment:- Mr. Speaker in the chair:-

Roll called:- all members present.

Journal of the first day read and approved.

Following reports of Special Committees were received.

Mr. Speaker:- your Special Committee on Rules beg to report that they recommend the adoption of the rules herewith transmitted.

Harvey
Chairman

Rules of the House of Representatives.
1st Legislative Assembly
of the State of Montana.

No. 1- Speaker.- The Speaker shall take the chair at the time to which the House stands adjourned, and the House shall then be called to order, the roll called, and the names of absentees shall be entered upon the Journal of the House.

In case the Speaker is absent, or fails from any cause to take the chair, the House shall appoint a Speaker pro tem.

No. 2- Quorum. Upon the appearance of a quorum the Journal of the preceding day shall be read by the Clerk, and any mistake therein may be corrected by the House.

No. 3- Order. The Speaker shall preserve order and decorum and shall decide questions of order, subject to an appeal to the House.

No. 4- Speaker shall vote. The Speaker shall vote on all questions taken by yeas and nays (except upon appeals from his own decision), and in all elections and divisions called for by any member.

No. 5- Members shall remain seated. When the House adjourns the members shall keep their seats until the Speaker announces the adjournment

No. 6- Proper decorum. Every member previous to speaking, shall rise from his seat and respectfully address himself to the Speaker.

No. 7- Two or more. When two or more members rise at once, the Speaker shall designate the member who is first to speak, but in all other cases the member who shall first rise and address the chair shall speak first.

No. 8- Not to speak more than twice. No member shall speak more than twice on the same subject, without leave of the house: nor more than once until every member choosing to speak on the question pending shall have spoken.

No. 9- Motion to be seconded. No motion shall be debated or put unless the same shall be seconded. It shall be stated by the Speaker, and any such motion shall be reduced to writing if the Speaker or any member shall desire it.

No. 10- Motion in possession of the House. After any motion shall be stated by the Speaker it shall be in possession of the House, but may be withdrawn at any time before amendment or decision:- but all motions, resolutions or amendments shall be entered upon the Journal, whether they are rejected or adopted.

No. 11- Debate. When a question is under debate no motion shall be received, except: 1st To adjourn. 2nd To lay on the table. 3rd. For the previous question. 4th. To postpone to a day certain. 5th To commit to a standing committee. 6th. To commit to a select committee. 7th To amend. 8th To postpone indefinitely. And these several motions shall have precedence in the order in which they stand arranged, and a call of the House may be made by a demand of two members.

No. 12- Adjournment. A motion to adjourn shall always be in order, except when a member is addressing the chair, or a vote is being taken: that, and the motion to lay on the table, shall be received without debate.

No. 13- Previous question. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to the debate, and bring the House to a direct vote upon the amendments reported by a committee, if any, upon pending amendments, and then upon the main question.

On motion for the previous question, and prior to the seconding of the same, one call of the House shall be in order, but after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question.

No. 14- Same. When, on taking the previous question, the House shall decide that the main question shall not now be put, the main question shall remain as the question before the House, in the same stage of proceedings as before the previous question was put.

No. 15- Incidental questions. All incidental questions of order, arising after a motion is made for the previous question, during the pending of such motion, or after the House shall have determined that the main question shall now be put, shall be decided, whether on appeal or otherwise, without debate.

No. 16- Petitions. Petitions, memorials and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place.

No. 17- Voting. Every member who shall be present before the vote is declared from the chair, and no other, shall vote for or against the same, unless the House shall excuse him; or unless he is immediately interested in the question, in which case he shall not vote.

No. 18- When the question is being put. When the Speaker is putting the question, no member shall walk out of or across the hall; nor when a member is speaking shall any person entertain any private discourse, or pass between him and the chair.

No. 19- Several points. If the question in debate contains several points, any member may have the same divided.

No. 20- Members called to order. A member called to order shall immediately sit down, unless he desires to explain, after which he shall take his seat until the point of order be decided by the chair, which shall be final, unless the member desires to appeal, in which case he shall have the right to arise and ask the chair to put his motion to the House, whose duty it shall be to immediately comply; and the question shall be: "Shall the decision of the chair be sustained?"

No. 21- Introduction of Bills. Every bill shall be introduced by a motion for leave, or by an order of the House or on a report of a committee; and one day's notice at least shall be given of a motion for leave to bring in a bill, unless two-thirds of the members present shall vote in favor of its being brought in without such previous notice. Every notice for leave to bring in a bill < and every notice to bring in a bill >, shall be in writing, and shall contain the title of the bill.

No 22- Bills endorsed. Every bill, before being introduced, shall have endorsed thereon the title of the same, and every bill and resolution shall have thereon the name of the member introducing it; and when ordered by a committee, the name of such committee shall be endorsed thereon.

No. 23- Bills to be read. All bills, memorials, or joint resolutions, shall be read at length, the first time for information, and if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no opposition be made, or if the motion to reject be lost, the bill shall go to its second reading, without a question.

No. 24- Second reading. All bills, memorials, or joint resolutions, on their second reading, shall be read by their title, and the question taken up on their commitment, amendment, or engrossment for a third reading.

No. 25- Third reading. All bills, memorials, or joint resolutions, on their third reading, shall be read at length, and no amendments shall be in order except by unanimous consent of the House.

No. 26- Second and third readings. All bills shall be read three times before their final passage, and may be read twice on the day of presentation, unless otherwise ordered; and no bill shall be passed unless it shall have been read once at length.

No. 27- No amendment. No motion or proposition on a subject different from that under consideration, shall be admitted under color of amendment; no bill or resolution shall, at any time, be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House.

No. 28- Committee of the whole. In forming a committee of the Whole House, the Speaker shall appoint a Chairman to preside.

No. 29- Bills committed to the committee of the Whole House shall, in the Committee of the Whole thereon, be first read through, unless the committee shall otherwise order, and then read and debated by sections, leaving the title to be last considered.

All amendments shall be made in writing and reported to the committee by the Chairman.

No. 30- Questions in Committee of the Whole. All questions whether in committee or in House, shall be put in the order in which they are moved, except in case of privileged questions, and in filling up blanks, when the largest sum and longest time shall be first put.

No. 31- Same mode. A similar mode of proceeding shall be observed with bills which have originated in and passed the Senate as with bills originating in the House, except they shall not be printed.

No. 32- Reconsideration. No motion for reconsideration shall be in order unless on the same day or the day following that on which the decision proposed to be reconsidered took place, nor unless one of the majority shall move such reconsideration.

No. 33 Motion to Reconsider. When notice of the intention to move the reconsideration of any bill or joint resolution shall be given by a member, the Clerk of the House shall retain the said bill or joint resolution until after the time during which the said motion can be made, unless the same can previously be disposed of.

No. 34- Who shall move for a Reconsideration. Any member who votes on that side of a question which prevailed, may be at liberty to move a reconsideration, and a motion for reconsideration shall be decided by a majority of votes.

No. 35- When lost. In all cases when the House shall be equally divided the question shall be lost, except appeals from decisions of the Chair.

No. 36- House Rules observed in Committee of the Whole. The rules of the House shall be observed in Committee of the Whole House so far as may be applicable, except that yeas and nays shall not be called, the previous question enforced, nor the time of speaking limited.

No. 37- Committee rise. A motion that the committee rise shall always be in order, and shall be decided without debate.

No. 38- Standing Committees. Standing committees consisting of three or five members each, at the option of the Speaker, shall be appointed on the following subjects:

1- Ways and Means.
2- Judiciary and Federal Relations.
3- Elections and State affairs.
4- Agriculture and Stock growing.
5- Education and Labor.
6- Irrigation and Water rights.
7- Mines and Minerals.
8- Towns Counties and Highways.
9- Military affairs.
10- Printing.
11- Incorporations and Manufactures.
12- State institutions and Public buildings.
13- Engrossment.
14- Joint committee on Enrollment.

No. 39- Engrossment. The Committee on Engrossment shall examine all bills after they are engrossed, and report the same to the House (correctly engrossed) before the third reading. Said committee may report at any time!

No. 40- Enrollment. The Committee on Enrollment shall examine all House bills, and joint resolutions which have passed the two Houses, and when reported correctly enrolled, they shall be presented to the presiding officer of the Senate and House for their signatures, and when so signed to go to the Governor for his approval. Said committee may report at any time.

No. 41- Select Committees. Select Committees, to whom reference shall be made, shall, in all cases, report a state of facts and their opinion thereon to the House.

No. 42- In all cases where a bill, order, resolution or motion shall be entered on the Journal of the House, the name of the member moving the same shall be entered on the Journal.

No. 43- Clerk to make a list of all Bills. The Speaker of the House shall cause the Clerk of the House to make a list of all bills, resolutions, reports of committees and other proceedings of the House, which are committed to a committee of the Whole House and which are not made the order of the day for any particular day, and to number the same, which list shall be called "the general order of the day," and they shall be taken up in the order in which they are numbered, unless otherwise ordered by two-thirds of the House; and the Clerk shall also keep a book showing the situations and progress of bills.

No. 44. Speaker to announce the order of the day. On the meeting of the House, after the reading of the Journal of the preceding day, the order of business for the day shall be as follows;

1- Presentation of Petitions.
2- Reports of Standing Committees.
3- Reports of Select Committees.
4- Notices.
5- Introduction of Bills.
6- Motions and Resolutions.
7- Consideration of messages from the Senate.
8- Reading of House Bills, Resolutions and Memorials.
9- Third Reading of the same.
10- Third reading of the Senate Bills.
11- Consideration of the General Orders.
12- Unfinished Business.

No. 45. General motions. . . Whenever the reports of any committee of conference contains several modifications or amendments, any member may have the same divided and the question of concurrence taken separately upon each modification or amendment.

No. 46- General Orders. When the House has arrived at the general order of the day they shall go into committee of the Whole upon such orders, or particular order designated by a vote of the House, and no other business shall be in order until the whole are considered, or passed, or the committee rise. And unless a particular bill is ordered up, the Committee of the Whole shall consider, act upon, or pass upon the general orders according to the order of their reference.

No. 47- Speaker to leave the chair. The Speaker may leave the chair and appoint a member to preside, but not for a longer time than one day except by leave of the House.

No. 48- Parliamentary practice. The rules of Parliamentary practice embraced in Roberts' Rules of Order shall govern the House in all cases where they are applicable, and in which they are not inconsistent with the standing rules and orders of the House and the joint rules and orders of the House and Senate.

No 49 The privileges of the floor of the House are hereby accorded:

First. To the Governor and ex-Governors.
Second. To the members of the Senate.
Third. To the Chief Justice and Associate Justices of the Supreme Court.
Fourth. To the Secretary and other State officers.
Fifth. To the Executive, Judicial and Legislative Officers of other States and Territories.
Sixth. To the Officers of the State Senate.
Seventh. To the Secretary of the Governor.
Eighth. To the former members of the House of Representatives.
Ninth. To the representative from each of the State newspapers, to be designated by the proprietors thereof.
Tenth. To such persons as by name have received thanks of the two Houses of the Legislative Assembly.
Eleventh. To members of the late Constitutional Convention and ex Secretaries of the Territory.

No. 50- Time of meeting. The hour of the daily meeting of the House shall be 10 o'clock in the morning unless the House directs otherwise.

No. 51- Yeas and Nays. The yeas and nays shall not be ordered unless demanded by two members, except on the final passage of the bills, joint resolutions and resolutions making appropriations of money, in which case the yeas and nays shall be made without demand and the names of those voting be entered on the Journal.

No. 52- Printed. All House bills shall, after their second reading, be printed without special order from the House.

No. 53- Memorials to Congress. All memorials to Congress, or to any officer or authority of the government, after they shall have passed both Houses, shall be carefully enrolled, signed by the Speaker of the House and President of the Senate, and forthwith transmitted by the Chief Clerk of the respective Houses in which they originated, to the President of the Senate, the Speaker of the House of Representatives in Congress, and to the authority memorialized, and a copy to our Representative in Congress.

No. 54- Titles and Reports of proceedings. Titles of bills introduced in the House shall be as brief as possible, and the subject of the bill clearly expressed therein; and no bill, except general appropriation bills and bills for the codification and general revision of the laws shall be passed containing more than one subject; and all proceedings of the House wherein action is taken upon bills, resolutions and motions shall be kept by the Clerk in full, upon the Journal; in all cases giving the title of each bill or resolution. But the second and all subsequent references shall be complete when such bill or resolution is referred to by its number. The substance of each motion shall be given, when reference is made to the same, and all resolutions offered shall appear upon the Journal.

No. 55- Suspend, alter or amend. No rule of the House shall be suspended, altered or amended without the concurrence of two-thirds of the members present.

On motion of Norton, report was received and made a special order for Tuesday Nov. 26th at 2 P.M.

Report of Committee on Credentials.

Mr. Speaker:

Your special committee on credentials beg leave to report that they have carefully examined the certificates of the members whose names appear below. We find the same regular and the gentlemen entitled to seats in this body.

A.C. Witter	Beaverhead
R.T. Wing	"
John M. Boardman	Choteau
Samuel C. Mitchell	"
Chas. N. Loud	Custer
Hugh Moran	"
Edwin D. Hastie	Cascade
Chas. Lochray	"
J.W. Blair	Deer Lodge
John D. Waite	Fergus
D.A. Corey	Lewis & Clarke
John Horsky	"
Anton M. Holter	"
R.N. Howey	"
Hayette Harrington	Madison
E.H. Goodman	Meagher
G.L. Greenough	Missoula
A.D. Blake	"
W.B. Harlan	"
J.T. Phillips	"
Chas. H. Stebbins	Park
O.H. Eaton	"
Absalom F. Bray	Silver Bow
Peter R. Dolman	"
Wm. H. Roberts	"
Frank H. Hoffman	"
Jas. H. Monteath	"
Wm. Thompson	"
Wm. H. Norton	Yellowstone
Martin Newcomer	Dawson & Cascade

E.H. Goodman
Chairman

On motion of Hoffman report was received and adopted, and committee discharged.

Report of Committee to wait upon His Excellency, the Governor.

House of Representatives.
Helena, Mont. Nov. 25th 1889

Hon. Aaron E. Witter,
Speaker, House of Representatives.

The undersigned, a Committee appointed by your Honorable Body to inform the Governor of the State of Montana that the House of Representatives of the Legislative Assembly was in session and had duly organized, and was ready to receive any communication which he might be pleased to make, have discharged that duty this day.

He informed me that inasmuch as he had designated in a proclamation a place where the House of Representatives was to meet, he could hold no official communication with your Honorable Body at present.

All of which is respectfully submitted.

A. M. Holter
J. M. Boardman
Fayette Harrington
Committee

On motion of Harvey report was received and referred to a special committee of seven to be appointed by the Chair.

Pursuant to which the Chair appointed Messrs. Holter, Norton, Stebbins, Greenough, Waite, Blair and Newcomer as members of such Committee.

The following resolutions were introduced:

Resolved, that a committee of one be appointed by the chair to interview the Rev. Mr. Allen, Chaplain elect of the House, to inform him of his election and to ascertain whether or not it is his intention to accept the position.

Bray

On motion of Bray resolution was adopted pursuant to which the Chair appointed Roberts on such Committee.

Resolved; that the House of Representatives of the Legislative Assembly, State of Montana, will proceed with the public business so far as it is in its power to do so until the present communication from his Excellency, the Governor, and will await such communication, whenever it shall be his pleasure to transmit the same.

J.M. Boardman.

On motion of Norton resolution was referred to the special committee of seven to whom report of committee to wait upon the Governor was referred with instructions to report tomorrow at 2 P.M.

Resolved:- that a select committee of three be appointed by the chair to secure suitable rooms for permanent quarters wherein the House may hold its meetings during the remainder of this session.

Goodman

On motion of Goodman resolution was adopted, pursuant to which the chair appointed as such committee Messrs. Goodman, Pony and Lochray.

Resolved:- that the chair appoint a select committee of three on mileage.

Eaton

On motion of Eaton resolution was adopted, pursuant to which the chair appointed Messrs. Eaton, Hastie and Wing as such committee.

Resolved:- that a committee of three be appointed by the chair to confer with a like committee from the Senate to make joint rules and regulations for the government of both Houses.

Waite.

On motion of Waite resolution was adopted, pursuant to which the chair appointed as such committee Messrs. Waite, Dolman and Loud.

Resolved:- that Mr. A.C. Smith of Deer Lodge County be appointed as assistant clerk.

Pony.

On motion of Pony, resolution was adopted, and the chair appointed A.C. Smith as assistant clerk.

On motion of Norton the Speaker was instructed to designate the time for the opening and closing of the Legislative Hall until such time, as the committee to confer with a like committee of the Senate on the matter of joint rules and regulations reported.

On motion of Cory the House adjourned until 2. P.M. Nov. 26th 1889

Garrett D. Scritchfield
Speaker

Benjamin Crandall
Chief Clerk

4th day.

House of Representatives.
State of Montana.
Helena, Nov. 26th 1889

House met pursuant to adjournment. Mr. Speaker in the chair. Roll called:- all members present.

Journal of the 3rd day read and approved.

On motion of Norton the reading of that portion of the Journal containing the report of committee on Rules and Regulations was omitted.

On motion of Lund the House resolved itself into the committee of the Whole Mr. Thompson in the chair. To consider report of the special committee on Rules and Regulations.

2.40 P.M. House resumed;- Mr. Speaker in the chair.

The chairman of the Committee of the Whole reported progress and asked leave to sit again.

Following reports were received.

Mr. Speaker.

Your committee appointed to procure permanent quarters beg leave to offer the following partial report.

We have examined two Halls: one, the Encore Hall on Clore St., can be had at a rental of two hundred and fifty dollars per month, with Monday and Tuesday nights reserved:- the other, a hall in the Granite Block, with three committee rooms at a rental of One hundred and twenty five dollars per month.

Your committee respectfully recommend that they be instructed to lease the Hall in the Granite Block.

E. H. Goodman
David A. Corry
Chas. P. Lochrey
Committee

Holter moved that the report be adopted.

Norton moved to amend that the report be referred to the committee for further consideration and that the number of the committee be increased to seven.

Amendment carried pursuant to which the chair appointed Messrs. Norton, Waite, Hoffman and Phillips.

The chairman of the special committee of seven to consider what action should be taken in regard to the report of the committee who waited upon the Governor was granted further time to report.

The committee of one appointed to wait upon the Chaplain elect reported by submitting the following letter.

Helena, Mont. Nov. 26th 1889

Hon. A.C. Witter.

Speaker, and members of the House of Representatives of the first Legislature of the State of Montana Gentlemen;

I have this day received due notice of your action in electing me as your Chaplain. Had I at any time entertained even a thought that my name would be used in this connection I would have taken measures to prevent it. From the daily papers of this City I learn that another body of men claiming to be the legal House of Representatives of the First Legislature of the State of Montana, met at the same time with yourselves, but in another place, and organized by the election of officers. From this fact it is evident that strife and confusion exist. I do not presume to sit in judgement, and decide which party is in the right and which in the wrong, but wishing to save myself, and the respectable body of Christians which I represent from any participation in the confusion seeming I respectfully ask you to relieve me from the service which under different circumstances would be a pleasant task.

Yours Respectfully
O.B. Allen Jr.

On motion of Dory the report was received and the resignation of the Chaplain accepted.

Bray moved that a special committee of five be appointed by the Chair as a committee on Privileges and Elections.

On motion of Norton previous motion was laid on the table.

Loud moved to adjourn until 2 P.M. tomorrow.
Motion lost.

On motion of Hoffman, House adjourned.

Aaron C. Witter
Speaker

Chief Clerk

5th day

House of Representatives.
State of Montana,
Helena, Nov. 27th 1889

House met pursuant to adjournment.
Mr. Speaker in the chair.
Roll called:- all members present.
Journal of the 4th day read and approved.

On motion of Waite a recess of 5 minutes was taken.

10.15 House resumed:- following reports received.

Mr. Speaker.- Your committee on Hall beg leave to offer the following further report.

We have examined the halls referred to in the report of your committee of the 26th inst. and recommend that the Auditor be instructed to lease and prepare for the use of the House the hall in Granite Block.

Committee { E.N. Goodman, David A. Corry, W. H. Norton, Jno. D. Waite, Chas. Lochray, F. H. Hoffman, J. T. Phillips }

On motion of Harrington report was adopted and committee discharged.

Corry moved that a standing committee on Rail Roads be appointed by the Chair to be added to the regular standing committees.

On motion of Thompson motion was referred to Committee of the Whole House and be taken up in connection with the report of committee on Rules and Regulations.

On motion of Stebbins the chair appointed Messrs. Stebbins, Bray and Moran as a committee of three to select a Chaplain for the House.

On motion of Harlan, House resolved itself into Committee of the Whole to consider report of Committee on Rules and Regulations, Wm. Thompson in the chair.

11.30 A M. House resumed, Mr. Speaker in the chair.

Chairman of the Committee of the Whole reported progress and asked leave to sit again.

Stebbins gave notice that on Friday he would move to reconsider the vote by which report of committee on permanent quarters was adopted.

Goodman moved that the House adjourn until Saturday at 10. A M.

Greenough moved to amend by making it 2. P.M. Friday

Stebbins moved to amend by making it 8. P.M. Friday. motion lost.

Harlan moved to amend by making it 10 a.m. Friday motion lost.

Motion of Greenough to adjourn until 2. P.M. Friday was carried:- pursuant to which House adjourned until 2 P.M. Friday Nov. 29th 1889.

Aaron A. Stubbs
Speaker

Benjamin Poore
Chief Clerk

7th day

House of Representatives,
State of Montana,
Helena, Nov: 29th 1889

House met pursuant to adjournment.
Mr. Speaker in the chair.
Roll called: quorum present.
Absent:- Messrs. Phillips and Stebbins.

Journal of the 6th day read and approved.

The special committee of three to select a Chaplain for the House reported that they had selected the Rev. H. T. Webb. who would accept.

On motion of Davy the rules were suspended and the House proceeded to the election of Mr. Webb.

On motion of Thompson Mr. Webb was elected by acclamation.

Following memorial was introduced by Howey.

To the Honorable the President of the United States Senate, and Speaker of the House of Representatives.

Whereas:- The Northern Pacific Rail Road Company, by virtue of its land grant, claims the right of title to a large tract of the mineral lands of Montana; these mineral lands containing the precious metals, being located, for the most part, in the mountainous portions of the State.

Whereas:- Congress, in its grant to said Rail Road Co. has excluded all mineral lands except those containing Coal and Iron;- and

Whereas:- if said Rail Road Company should procure patents to the lands containing the precious metals, and now claimed by said Company, a great injustice would be done to many of our citizens who have recorded mines on these lands; and besides would be ruinous to our mining interests, would endanger the prosperity of our State, and by the concentration of such a vast and valuable portion of the public domain under the control of a single corporation, would be a menace to the political rights and freedom of our people.

Now, therefore we, your petitioners, The House of Representatives of the State of Montana do most earnestly pray your Honorable bodies to take such immediate action as to prevent the issuance of patents to the Northern Pacific Rail Road Company, whereby said Company may acquire title to any of the mineral lands of Montana other than those containing Iron and Coal.

Memorial read first and second times, and on motion of Thompson was referred to a select committee of Three.

Pursuant to which the chair appointed as such committee, Messrs. Mowry, Thompson and Lord.

Following resolution was introduced by Thompson.
Resolved that the Auditor be instructed to procure rooms for this body in the Granite Block.

Resolution was amended by Boardman, by adding the words "and furnish" after the words procure.

Resolution as amended was adopted.

On motion of Thompson, House adjourned.

Aaron C. Spitler
Speaker

Benjamin Cotton
Chief Clerk

8th day

House of Representatives,
State of Montana,
Helena Nov. 30th 1889

House met pursuant to adjournment. Mr. Speaker in the chair.

Roll called: quorum present: absent Phillipps.
Prayer by the Chaplain.
Journal of the 7th day read and approved.

On motion of Harvey B. F. Hooper was elected Watchman to the House, date of service to begin on the 28th inst.

James B. Wells tendered his resignation as Enrolling and Engrossing Clerk in a letter addressed to the Speaker.
On motion of Howey resignation was accepted.

The name of Wm M. Cook was placed in nomination by Fremont to fill the position of Enrolling and Engrossing Clerk, vacated by the resignation of Mr. Wells.

The name of Mrs. E. E. Evens was placed in nomination, by King.

On motion of Thompson the election of Enrolling and Engrossing Clerk was deferred until Monday Dec. 2nd

On motion of Roberts a recess of 10 minutes was taken.

11. A. M. House resumed.
Following report was received.

Mr. Speaker:

On the 28th inst. this House appointed a Committee of three to wait upon the Governor of the State of Montana, and to inform him that it was duly organized, and ready to receive any communication which he might be pleased to make.

On the 25th inst that Committee made the following report:

Hon. Aaron E. Wilson,
Speaker House of Representatives.

The undersigned, a committee appointed by your Honorable Body to inform the Governor of the State of Montana that the House of Representatives of the Legislative Assembly was in session and had duly organized, and was ready to receive any communication which he might be pleased to make, have discharged that duty this day. We informed him that inasmuch as he had designated in a proclamation

a place where the House of Representatives was to meet, he could hold no official communication with your Honorable Body, at present.

All of which is respectfully submitted.

A M. Holter
J.M. Boardman
Fayette Harrington
Committee

Hon. A.C. Wilder
Speaker of the House of Representatives

Your special committee, to whom was referred the above report, beg to report as follows.

It would seem so far as any statement from the Governor is concerned, that his declination to communicate with the House arises from the fact that it is not assembled in the room, in the Capital, designated by him; and the question arises whether the legislancy of either House of the Legislative Assembly lies, or can be made to turn, upon the particular room in which it is assembled, or whether it appertains to him to designate our place of meeting.

There is no provision of our State Constitution, or of Statute Law, providing in what room either House of the Legislature shall hold its sessions, or conferring authority to determine that question upon any ruler or officer unless the provision that the Auditor shall call the House to order as a matter of implication, confers upon him the authority of saying where in the Capital he will perform that duty. If, as is probable, such implied authority is conferred upon the Auditor by Section 1039 of the fifth division of the compiled Statutes of the State, inasmuch as the House has assembled in the hall designated by that officer, the objection of the Governor is invalid. If no such implication arises from that section, it would seem to be certain that it appertained to the members of the House themselves informally to say where they should meet, and that having determined that question, no other department of the government could find fault with their selection.

In a proclamation issued by the Governor Nov. 22d 1889 it is recited that "no provision of the Constitution or of the Laws provide the place in which the Legislative Assembly shall meet, and no officer or person is expressly authorized by the Constitution, or the Laws, to designate such place of meeting."

The imperative need of keeping the functions of each department of the government wholly separate, of maintaining each in its sphere of action, co-equal to the other, is essential to the harmonious working of our institutions, and if it be true, that the Executive Department may, without provision of law arrogate to itself the control of other departments, and upon frivolous grounds decline

to recognize their authority, then our Commonwealth has not yet achieved that liberty with which other States commence their career.

In the view of your Committee, it would be as appropriate and lawful for the Judicial or Legislative Department to decline to recognize the authority of the Governor, if in the absence of any law fixing the place in which he should transact his official business, he had selected a place which did not meet their approval. Would any department of the government be justified in resisting a writ issued by the Supreme Court, for the reason that in the absence of a law designating the same, it was issued from a room which some other department did not approve; a proposition identical with the position assumed by the Governor and which for an instant cannot be maintained? Sect. 1, Art. 4. of the Constitution provides, after creating the Executive, Judicial and Legislative departments of our government "that no person or collection of persons charged with the exercise of powers properly belonging to one of these departments shall exercise any powers properly belonging to either of the others except as in this Constitution expressly directed or permitted."

If this House has merely in a spirit of frivolity or obstinacy declined to meet in any room to which it had been invited, while thoughtful people would have condemned its action, its right to decline such invitation and select a place of meeting would not have been denied; but when the selection of that place of meeting was complied with the statement of a clear purpose on the part of a co-ordinate department to usurp the functions of a board of canvassers appointed by law to discharge the duty of determining questions presented to it, while the House might have accepted the suggestion, and resisted such usurpation forcibly, it seemed the duty of good citizenship, peaceably to assemble elsewhere, and proceed with the duty exclusively devolving upon the House of the Legislative Assembly.

In the proclamation issued by his Excellency on the 22nd inst. it is recited that no law provides, and no person or officer is authorized to select the room in which the Legislature shall meet, and as a sequel to such statement, the Governor proceeds to designate the room in which this House shall meet: and being charged by no Constitution or law to determine who are members of the House of Representatives, he proceeds to invite certain persons to assemble in said room, leaving the control of the same vested in himself. By what process of logic such consequences flow from such conditions your Committee is unable to determine. The proclamation was an attempt to disregard, if not to override the Constitution of the State and to assume as a matter of Executive duty, to determine who were primarily members of the Legislative Assembly, and when the hall itself, instead of being placed at the disposal

of the House of Representatives, had been taken possession of by the Governor, as lessee, and the entrance thereto had been obstructed, until the instant of the assembling of the House of Representatives, it seemed the duty of the House to provide another place in which it could meet and organize without any form of executive dictation.

Your Committee is aware that from a single representative District there is a controversy as to the right of certain members to their seat in this body; manifestly that controversy is not determinable primarily, nor ultimately by the Governor. No provision of law, and no article in the Constitution devolves upon him the authority to intervene in such a matter, and any attempt of that kind is worse than mischievous: it is usurpation, and patriotism dictates its resistance.

No supremacy of a particular party, no personal ambition of man, no difference of political principles, could for an instant justify the remotest disregard for the Constitution and Laws in this matter. It is better for the State, if the district in question cast a majority of the votes according to Law for the Republican party, and the tribunal appointed to determine that fact shall decide wrongfully, that we abide by that wrong decision, than that usurpation or anarchy come to the rescue. If that district was lawfully carried by the Democrats, and the canvassing tribunal wrongfully determined the result, acquiescence in their determination, is the dictate of patriotism until an opportunity occurs to correct the wrong by Law, and it would seem, upon such an important occasion, that every person and party, without reference to ultimate results, would rejoice to abide by the law applicable to the controversy. It would seem that some method exists, whereby, upon an examination of this matter, it could be authoritively determined which one of these two sets of Representatives presents such requirements of title to their office as would prima facia make them members of this House. Under our Territorial laws in force until the passage of ordinance 2 by our Constitutional Convention, the canvassing of votes for members of the lower House of the Legislative Assembly was left with a canvassing board of which the Chairman of the Board of County Commissioners or some other member of that board was made a necessary member and the Clerk of that board was required to give Certificates of that result, because he was the proper person to record what was done by the County Commissioners or under their lawful direction or the lawful direction of one or more of them. Finality was given to the actions of this County Commissioner and two other officers so far as ascertaining results, affecting members of the House was concerned, and their action gave prima facia right to a seat in the House to any person having the

Clerk's certificate of Election, and until the House shall otherwise declare: but by virtue of authority of the Enabling Act of Congress, approved February 22nd 1889, in Sect. 24, Legislative authority on this question was transferred from the Territorial Legislative Assembly to the Constitutional Convention, whereby it was authorized to provide by Ordinance if it so chose "for the election of officers for full State Governments including members of the Legislatures". Our Constitutional Convention chose to accept this authority and it did provide "for the election of officers for full State Governments including members of the Legislatures" and by the eighth subdivision of ordinance 2 which is our law provided that returns for the members of the Legislature should be made to the Secretary and canvassed by the Governor, Chief Justice and Secretary. Thus by law the matter was taken from the canvassing boards of a County and put in the hands of Officers of the Territory, and the duties of the Clerk of the County as to any final certificate fell with the duty of the County Canvassing board and thenceforth was vested in the State Board of canvassers appointed by the Constitution. The Constitutional Convention could have declined all authority or, accepting it, the authority to finally determine who were elected members of the House, might have been left with the County Canvassing Boards as under the Territorial laws but it expressly transferred that authority to the State Board and there it now reposes. The Clerk's certificate was a part of the former system of ascertaining the result, and his function fell when this system was set aside by the Constitutional Convention. No certificate from any source gives any member during a temporary organization more than a prima facia right to a seat in such House, and it therefore becomes important to ascertain what certificates entitle a person to mingle in such temporary organization. When that is ascertained, there is no authority for one person having a prima facia right only to exclude from participation in such organization another person having the same right. It is important that the will of the people shall prevail but there must be a method of ascertaining that will.

Whichever of these claimants possesses that prima facia authority is justly conceded to be entitled to seats in this House, and to assist in the organization thereof; but if it should be conceded that the existence of such controversy could, prior to the organization, operate to exclude members prima facia entitled to seats therein, a proposition which we believe cannot be maintained, it would make no difference as to the merits of this controversy, which is one that must be determined by the House itself, and in an absolutely non-partisan spirit, and not by the Governor.

Denunciations of individuals and parties can do no good. They test the capacity of partisan zealots to command certain methods of speech, which have already spent

their force, and have left us far from a solution of the difficulty as when the controversy first arose. In the view of your Committee, it is the duty of good citizenship to find some solution of this difficulty, to the end that the great interests confided to this Legislative Assembly may be cared for during the existing session. And, while we deeply regret that, instantly upon our admission into the Union of States, such a difficulty has arisen, we believe that its solution can be reached and the law prevail. If such an embarrassing situation is without legal remedy, it is well that we ascertain it instantly, to the end that provision may be made whereby its recurrence will be made impossible.

Difficulties heretofore arising concerning our Legislative Assemblies, either found peaceful solution by our own citizens or were solved by the enactments of Congress. Upon our admission as a State, this last resort is impossible. Over this question, the authority of the State is supreme and exclusive, and it must by virtue of its own Constitution and Laws, and the exercise of its own authority, bring order out of this confusion.

The proclamation of the Governor hereinbefore referred to, was promulgated 18 hours before the time of the assembling of the House of Representatives, and is as follows:

"Proclamation.

State of Montana, Executive Office.
Helena, Nov. 22nd. 1889

Whereas on the 11th day of November A.D. 1889 a proclamation was signed and issued convening the first legislative assembly of the State of Montana at the seat of government on Saturday, Nov. 23rd 1889, at 12 o'clock noon; and

Whereas, no provision of the Constitution or of the Laws provide the place in which the said legislative assembly shall meet, and no officer or person is expressly authorized by the Constitution or the Laws to designate such place of meeting; and, whereas it is necessary that some suitable and convenient place of meeting shall be designated and provided, and, whereas, it has come to my knowledge that two sets of certificates have been issued to persons claiming to be elected to said legislative assembly, each emanating from a different source; and not all to the same persons and,

Whereas it is probable that a conflict may arise between the respective claimants to seats in said body and in the organization thereof which may imperil the peace of the State; and,

Whereas, one set of said certificates have been issued and delivered pursuant to Sect. 1033 of the general election laws of Montana by the County Clerks of the respective counties and by virtue of Sect. 18 of an act of the Legislative Assembly of the Territory of Montana, entitled "An act to provide for the registration of elections and to prevent fraud at elections" approved March 8th 1889, and whereas, by express law the pres-

"holding such certificates are declared to be entitled to membership and deemed to be elected for all purposes of organization of either branch of the Legislative Assembly; and,

Whereas, wherein so organized such Legislative Assembly by the Constitution becomes the Judge of the qualifications of its own members.

Now, therefore, I, Joseph K. Toole, governor of the State of Montana, do hereby designate the Court House of the County of Lewis and Clarke, at the said seat of government as the place where said legislative assembly, comprising the persons and presenting certificates of election from said County Clerks shall meet, to wit:

The House of Representatives shall meet in the hall formerly occupied by the Territorial House of Representatives, and the Senate shall meet in the chamber formerly occupied by the Territorial Council.

For the peaceful observance of this proclamation, I invoke the aid of all good citizens, without distinction of party.

In testimony whereof, I have hereunto set my hand, and caused the seal of the State of Montana to be affixed at Helena, the seat of government of said State, the 22nd day of November, in the year of our Lord one thousand eight hundred and eighty nine.

(Signed) Joseph K. Toole

By the Governor;

Louis Rotwitt, Secretary of State."

After certain members of the House of Representatives and other persons having certificates signed by the Clerk of Silver Bow County, that they had received a majority of the votes in their representative district had assembled in a room controlled by the governor, and under the charge of one John Smith, known as Captain John Smith, and certain assistants of his assuming to be a quorum of the house of representatives, proceeded to organize at the hour fixed for the meeting of Legislative Assembly, and at a later period, the John Smith aforementioned delivered to the person presiding over said body a letter from the governor alleged to contain his authority and instructions under which he acted. This letter was not made public until long after the hour fixed for the meeting of the Legislative Assembly, and a motion to adjourn said body assuming to be the House of Representatives for the day was withdrawn in order to permit its being read. Whether this letter was written previously, or was an afterthought, your Committee has been unable to determine. The said letter as read to the said assemblage in the place designated by the governor and published in the newspapers is as follows:

"Captain John Smith, in charge of House of Representatives,
Sir: At 12 o'clock noon, today you will open the doors
to the House of Representatives and admit no person to the floor
except persons claiming to be members of that body. When
notified by any member whom you have admitted that the
House of Representatives has temporarily organized you will
turn over your keys to such person as the House may designate.
If the Auditor of the State appears at the door before you
are relieved by the person designated by the House of Repre-
sentatives, you will admit him to the floor of the House.
When you are relieved by such person your employment ceases.
(Signed) J. K. Toole
Governor "

Your Committee to whom was referred the foregoing report is of the opinion that it was the intent and purpose of the Governor to conceal the said instructions to the said John Smith until after the temporary organization of the House of Representatives, and by virtue of his control of the room in which the people's representatives were to assemble, to dictate who should enter therein. Your Committee is therefore of the unanimous opinion that in refusing to recognize this House of Representatives, and in assuming the foregoing authority, the Governor has acted contrary to his sworn duty, and has usurped powers belonging to the legislative department, forbidden to him by the Constitution and Laws of this State.

All of which is respectfully submitted.

A. M. Holter
W. H. Norton
C. H. Stebbins
J. W. Blair
T. L. Greenough
Martin Maloney
J. D. Waite

Committee

On motion of Boardman report was received and adopted, and Committee discharged.

Stebbins moved that a select Committee of three be appointed by the Speaker to have 2000 copies printed in convenient form, for distribution, of the foregoing report of the Committee to whom was referred the Governor's message.

Motion lost.

Carey moved that when the House adjourn it adjourn until 2 P.M. Monday, Dec. 2nd.

On motion of Norton the House adjourned until the time specified.

Thomas C. Griffith
Speaker

Benjamin Stahl
Chief Clerk

10th day

House of Representatives.
State of Montana.
Helena, Dec. 2nd, 1889

House met pursuant to adjournment, at 2 P.M.
Mr. Speaker in the chair.
Roll called: quorum present.

Absent: Messrs Wing and Phillips.

Prayer by the Chaplain.

Journal of the 8th day read and approved.

On motion of Thompson rules were suspended, and the reading of that portion of the Journal containing report of special committee to consider report of Committee to wait upon the Governor was omitted.

On motion of Goodman, House resolved itself into the Committee of the Whole, to consider report of the Committee on Rules and Regulations, Mr. Thompson in the chair.

3.05 P.M. House resumed: Mr. Speaker in the chair.

Chairman of the Committee of the Whole was granted time to report.

On motion of Dory a recess of 10 minutes was taken.

3.35 - House resumed, Mr. Speaker in the chair.

On motion of Goodman, a vote of thanks was extended Mr. Boos, of the Journal Publishing Co. for his courtesy in presenting the House with 2000 letter heads.

Dory moved that when the House adjourn it be to convene in the rooms rented in the Granite Block. Carried.

On motion of Thompson, the House proceeded to the election of Engrossing and Enrolling Clerk.
The name of Wm. E. E. Evans having been withdrawn, on motion of Thompson Mr. Wm. M. Cook was elected to fill that office, by acclamation.

Thompson moved that the House proceed to elect a Stenographer and Typewriter. Motion lost.
On motion of Harlan House adjourned.

Hiram C. Hitter
Speaker

11th day

House of Representatives
State of Montana
Helena. Dec. 3rd 1889

House met pursuant to adjournment at the rooms rented in the Granite Block.

Mr. Speaker in the chair

Roll called: quorum present: Absent: Phillipps.

Prayer by the Chaplain.

Journal of the 10th day read and approved.

On motion of Cory the Special Committee of three to wait upon the Senate and inform it of the organization of the House were discharged and reappointed by the Chair.

Dolman moved that when the House adjourn it be to meet at 2 P.M. Dec. 4th. Motion carried.

On motion of Loud House adjourned to meet at time specified in foregoing motion.

Hasson C Smith
Speaker

Benjamin Estabrook
Chief Clerk

12th day

House of Representatives,
State of Montana.
Helena Dec. 4th 1889

House met pursuant to adjournment at 2 P.M.

Mr. Speaker in the chair.

Roll called: quorum present. Absent Phillips.

Prayer by the Chaplain.

Journal of the 11th day read and approved.

Following reports were received.

Mr. Speaker.

Your Committee on mileage beg leave to report that the members of the House of Representatives are entitled to mileage both ways, as follows:

John M Boardman,	Sheridan to Helena and return	330	miles.
J. W. Blair,	Helmville " " " "	148	"
A. S. Blake,	Victor " " " "	336	"
A. F. Bray,	Butte " " " "	150	"
D. A. Bony,	Helena, " " " "	—	"
P. R. Dolman,	Butte " " " "	150	"
C. N. Eaton,	Cooke " " " "	480	"
T. L. Greenough,	Missoula " " " "	206	"
E. H. Goodman,	Townsend " " " "	72	"
W. B. Harlan,	Como " " " "	390	"
T. Harrington,	Virginia City " " " "	392	"
R. N. Howey,	Helena " " " "	—	"
E. D. Hoskit,	Cascade " " " "	176	"
J. Horsley,	Helena " " " "	—	"
A. M. Holter,	" " " " "	—	"
F. H. Hoffman,	Butte " " " "	150	"
C. N. Lamb,	Stacy " " " "	872	"
C. Lochrey,	San Carlos " " " "	222	"
S. Mitchell,	Choteau " " " "	302	"
A. M. Moran,	Miles City " " " "	772	"
J. H. Monteath,	Butte " " " "	150	"
W. H. Norton,	Stillwater " " " "	402	"
M. Newcomer,	Glendive " " " "	428	"
J. A. Phillips,	Missoula " " " "	206	"
W. H. Roberts,	Walkerville " " " "	150	"
C. H. Stebbins,	Livingston " " " "	200	"
Wm. Thompson,	Butte " " " "	150	"
R. J. Wing,	Dillon " " " "	292	"
J. D. White,	Utica " " " "	382	"
E. C. Witter,	Dillon " " " "	292	"

All of which is respectfully submitted.
C. H. Eaton, Chairman
E. O. Hastie,
Robt. T. Wing.

On motion of Waite, report was received and adopted, and Committee discharged.

Report of the Committee of the Whole.

Mr. Speaker.

Your Committee of the Whole have had under consideration the report of the Special Committee on Rules and Regulations, together with the Rules and Regulations submitted by them, and beg leave to report the same back with recommendation that the same be adopted, with the following amendments

Sect. No. 16 - line 3 - after the word "withdrawn" add the words "by the consent of the House."

Sect. No. 38 - line 2 - after the word "three" add the words "five or seven."

Numbers and titles of Standing Committees to read as follows:

No. 1 - Ways and Means.
" 2 - Judiciary and Federal Relations.
" 3 - Privileges and Elections.
" 4 - State affairs.
" 5 - Public Lands
" 6 - Agriculture and Stock Growing.
" 7 - Education and Labor.
" 8 - Irrigation and Water Rights.
" 9 - Mines and Minerals.
" 10 - Towns, Counties and Highways.
" 11 - Railroads.
" 12 - Military affairs.
" 13 - Printing.
" 14 - Incorporations and Manufactures.
" 15 - State Institutions and Public Buildings.
" 16 - Engrossment.
" 17 - Joint Committee on Enrollment.
" 18 - Rules, - Speaker to be Chairman.

To Sect. No. 51 is added the following: "and the names of those voting be entered on the Journal."

Sect. No. 52 - line 1 - the words "of a general nature." are stricken out.

Sect. No. 53 - line 7 - the word "and" is inserted between the words "Senate" and "the", and in last line of same Section the word "each" is inserted between the words "copy" and "to" and between the words "our" and "Representative" the words "Senators and".

Sect. No. 54 is amended by striking out the words "indicating substantially the purport of the same" and substituting therefor the words "and the subject of the bill clearly expressed therein; and no bill, except general appropriation bills, and bills for the codification and general revision of the laws shall be passed containing more than one subject."

William Thompson
Chairman.

Harlan moved that the report be received and adopted.

Motion withdrawn.

Thompson moved that the report be received, and adopted section by section.

Holden moved to amend by recommitting report to the Committee of the Whole.

Motion, as amended, carried.

On motion of Boardman House took a recess of 30 minutes.

3.00 P.M. House resumed. Mr. Speaker in the chair.

On motion of Gray House adjourned.

Garan C. Aiken
Speaker.

Benjamin Patchett
Chief Clerk

13th day.

House of Representatives.
State of Montana.
Helena, Dec. 5th 1889.

House met, pursuant to adjournment.

Mr. Speaker in the chair.

Roll called: quorum present. Absent - Phillips.

Prayer by the Chaplain.

Journal of the 12th day read and approved.

On motion of Dory House adjourned.

Aaron E. Britton
Speaker

Benjamin Roberts
Chief Clerk

14th day.

House of Representatives.
State of Montana.
Helena, Dec. 6th 1889

House met, pursuant to adjournment.
Mr. Speaker in the Chair.

Roll called: quorum present. Absent. Phillips and Monteath.
Prayer by the Chaplain.
Journal of the 13th day read and approved.

On motion of Harlan, Phillips of Missoula was excused for all absence until Dec. 7th.

On motion of Thompson, the House resolved itself into the Committee of the Whole to consider General Orders.
Mr. Dolman in the chair.

10.30 A.M. - House resumed; Mr. Speaker in the chair.

The Chairman of the Committee of the Whole made the following report.

Mr. Speaker,

Your Committee of the Whole have had under consideration the previous report of the Committee of the Whole, and recommend that the Rules and Regulations, as recommended by it be adopted, with the following amendment.

Rule No. 38 to be stricken out and the following substituted.

" Rule No. 38. Standing Committees. Standing Committees,
" consisting of three, five or seven members each, at the option of the
" Speaker, shall be appointed on the following subjects:
" No. 1 - Ways and Means.
" " 2 - Judiciary and Federal Relations.
" " 13 - State affairs.
" " 4 - Public Lands.
" " 5 - Privileges and Elections.
" " 6 - Agriculture and Stock growing.
" " 7 - Education and Labor.
" " 8 - Irrigation and Water Rights.
" " 9 - Mines and Minerals.
" " 10 - Towns, Counties and Highways.
" " 11 - Railroads.
" " 12 - Military affairs.
" " 13 - Incorporation and Manufactures.
" " 14 - State Institutions and Public Buildings.
" " 15 - Engrossment.
" " 16 - Enrollment.
" " 17 - Printing.
" " 18 - Rules and Joint Rules."

P. K. Dolman
Chairman

On motion of Mr Adams report was received and adopted.

On motion of Mr Thompson the House took a recess until 2 P.M.

2. P.M. House resumed. Mr. Speaker in the chair.

Roll called: quorum present. Absent, on leave, Phillips.

On motion of Mr Harvey a recess of 20 minutes was taken.

2.55 P.M. House resumed. Mr. Speaker in the chair.

On motion of Mr Thompson Mr. Monteath was excused for absence during the morning session.

Mr Waite moved that when the House adjourn it be to meet at 8 o'clock P.M. Monday the 9th inst. Motion carried.

On motion of Mr Dorr House adjourned to time specified in last motion.

Aaron L. Sprittor
Speaker

Benjamin Bartlett
Chief Clerk

17th day.

House of Representatives,
State of Montana,
Helena. Dec. 9th 1889.

House met pursuant to adjournment, at 8 P.M.
Mr. Speaker in the chair. Roll called:- all members present.
Prayer by the Chaplain.
Journal of the 14th day read and approved.

Following resolution was introduced by Howey.

Whereas, the existing dead lock in the joint Senate and Legislature of the State of Montana, preventing the enactment of much needed laws, and the transaction of important business for the State, is to be deplored by all good citizens.

Whereas, this condition of things has been brought about primarily, as the result of an election held Oct. 1st 1889 at Precinct No. 34, Silver Bow County. and

Whereas, it is evident that no satisfactory settlement can be made until a full investigation of such election is had, and that no such investigation can be legally had until the Senate, as well as the House of Representatives shall have been duly organized.

Therefore, be it resolved, that we, the Republican members of the House of Representatives propose the following as a just and equitable basis upon which the whole controversy shall be settled.

1st.- That the Democratic members, whose election is undisputed, meet with the Republican members, whose election is undisputed, as an organized House of Representatives.

2nd. That the Democratic members of the Senate qualify, and that the Senate organize at once.

3rd.- That the House of Representatives, so organized, select a commission of 3 Republican members and 3 Democratic members, and that this Commission, so constituted, shall have full authority to compel the attendance of witnesses and the production of papers, and shall fully investigate the election held at Precinct No. 34, Silver Bow County, on Oct. 1st 1889

Said Commission shall report, not later than 10 days after its appointment or selection.

4th. That the Senate and House of Representatives take an adjournment to such time as shall be necessary for said Commission to fully investigate said election and be able to report to the House of Representatives

5th. That both Republican and Democratic members shall be bound by the results of such investigation.

Howey.

Bray moved that the resolution be received and adopted.

Norton moved to amend by referring the resolution to a select Committee of five.

Resolution as amended carried: pursuant to which the Chair appointed as such Committee, Messrs. Norton, Stebbins, Tremaugh, Waite, and Goodman.

On motion of Bray House adjourned.

Aaron L. Miller
Speaker

Benjamin Stebbins
Chief Clerk.

18th day

House of Representatives.
State of Montana.
Helena, Dec. 10th 1889.

House met pursuant to adjournment.
Mr. Speaker in the chair.
Roll called: all members present.
Prayer by the Chaplain.

Journal of the 17th day read and approved.

On motion of Bray a recess was taken until 2. P.M.

2 P.M.
House resumed: Mr. Speaker in the chair.
Roll called: all members present.
On motion of Lund House adjourned.

Aaron A Bridges
Speaker.

Benjamin Stebbes
Chief Clerk.

19th day.

House of Representatives.
State of Montana.
Helena Dec. 11th. 1889.

House met pursuant to adjournment.
Mr. Speaker in the chair.
Roll called: quorum present: absent Dolman
Prayer by the Chaplain

On motion of Thompson, Dolman was excused for the day.

House Bill 1 - An act to fix the terms of the Supreme Court, was, by unanimous consent, introduced by Harvey without 1st previous notice, rules suspended, and read 1st and 2nd times, and on motion of Thompson referred to a Special Committee of three: pursuant to which the Chair appointed Messrs. Thompson, Goodman and Harvey as such Committee

Following notice was given by Harlan.

Mr. Speaker:

I hereby give notice that I will on tomorrow, or some subsequent day, introduce a Joint Memorial entitled, "A Joint Memorial to Congress "asking for the immediate survey of all Agricultural Lands "in the State."

Thompson moved that 200 copies of the House Rules and Regulations be ordered printed for the use of the House.
Motion lost

On motion of Boardman a recess was taken until 2. P.M.

2 P.M.
House resumed: Mr. Speaker in the chair.

Roll called: all members present.

On motion of Boardman House adjourned.

Aaron E Britton
Speaker

Benjamin Nichols
Chief Clerk

20th day.

House of Representatives,
State of Montana.
Helena, Dec. 12th 1889

House met pursuant to adjournment.
Mr. Speaker in the chair.
Roll called: all members present.
Prayer by the Chaplain.
Journal of the 19th day read and approved.

The following list of Standing Committees was announced by the Speaker.

Standing Committees of the House of Representatives of the First Legislative Assembly of the State of Montana.

No. 1- Ways and Means - Holter, Thompson, Harrington, Boardman, Stebbins, Bray, Cory.

No. 2 - Judiciary and Federal Relations. - Dolman, Goodman, Howey, Eaton, Hastie, Thompson, Harrington.

No. 3 - State affairs. - Cory, Blair, Horsley, Moran, Mitchell.

No. 4 - Public Lands. - Lund, Blake, Hastie, Thompson, Waite, Cory, Goodman.

No. 5 - Privileges and Elections. - Harrington, Stebbins, Greenough, Howey, Boardman.

No. 6. - Agriculture and Stock growing. - Hastie, Newcomer, Norton, Lund, Mitchell.

No. 7 - Education and Labor. - Howey, Hoffman, Phillips, Newcomer, Lochray.

No. 8. - Irrigation and Water Rights. - Goodman, Wing, Dolman, Blake, Moran.

No. 9. - Mines and Minerals. - Eaton, Roberts, Lochray, Blair, Horsley.

No. 10. - Towns, Counties and Highways. - Harlan, Bray, Stebbins, Hoffman, Holter.

No. 11. - Railroads. - Boardman, Cory, Norton, Lund, Hoffman, Phillips, Dolman.

No. 12. - Military affairs. - Bray, Phillips, Horsley, Wing, Lochray.

No. 13.- Incorporations and Manufactures.- Waite, Greenough, Eaton, Cory, Monteath.

No. 14.- State Institutions and Public Buildings.- Norton, Holter, Boardman, Loud, Hastie, Wing, Blake.

No. 15.- Engrossment.- Phillips, Goodman, Roberts.

No. 16.- Enrollment.- Mitchell, Moran, Monteath.

No. 17.- Printing.- Monteath, Howey, Harlan, Waite, Goodman.

No. 18.- Rules and Joint Rules.- Witter, Boardman, Thompson.

A communication from the Senate of the State of Washington containing a memorial of the Legislature of that State to the Congress of the United States, having for consideration the subject of State Granted and School Lands was received and read, and on motion of Bray was referred to Committee on Public Lands.

Following report of Select Committee was received.

Mr. Speaker.

We, your Committee to whom was referred House Bill No. 1 beg leave to report the same back, with the recommendation that the same be referred to the Committee on Judiciary.

Thompson
Goodman
Howey. Committee

Report was received and adopted, and House Bill No. 1 was so referred.

Following notice of Bill was given.

Mr. Speaker.

I hereby give notice that I will on the morrow, or some subsequent day, introduce a Bill to define the size and quality of documents printed at the expense of the State of Montana.

Holter.

On motion of Thompson the list of Standing Committees was referred to the Committee on Printing with instructions to have 150 copies printed.

On motion of Thompson the House took a recess until 2 P.M.

2 P.M.

House resumed: Mr. Speaker in the chair.
Roll called: Absent Messrs. Waite, Howey and Harlan.

On motion of Roberts a call of the House was made.

Absent, Messrs. Waite, Howey and Harlan.

Messrs. Waite and Harlan appearing on the floor of the House, and a quorum being present, on motion of Loud further proceedings under the call were dispensed with.

Following resolution was introduced by Monteath.

Resolved, that to Rule No. 52 be added the following.
Provided, that under no circumstances shall the original bill be placed in the hands of the printer, but a true copy thereof shall be made, under the direction of the printing committee, and forthwith by that committee delivered to the printer, with instructions to print a sufficient number of copies thereof and return the same without delay.

On motion of Norton resolution was referred to Committee on Rules.

By consent of the House, Stebbins introduced without previous notice House Bill No. 2, entitled
"An act to enable the County to procure proper Seals."

House Bill No. 2 read 1st and 2nd times, rules were suspended and bill was referred to Committee on State affairs.

On motion of Stebbins House took a recess until 3 P.M.

3 P.M.

House resumed: Mr Speaker in the chair.

Following report of Committee on Rules was received.
Mr. Speaker.

Your Committee on Rules, to whom was referred resolution to amend Rule No. 52, beg leave to report back the same with the recommendation that the amendment be adopted, and incorporated in said Rule.

Thompson
Actg chairman

On motion of Bray House adjourned.

Carroll C. Spicer
Speaker

Benjamin Nichols
Chief Clerk

21st day.

House of Representatives.
State of Montana,
Helena, Dec. 13th. 1889.

House met pursuant to adjournment.
Mr. Speaker in the chair.
Roll called: all members present.
Prayer by the Chaplain.
Journal of the 20th day read and approved.

Bray moved that all bills now in the hands of Committees be referred back to the House with the recommendation that the same be referred to the Committee on printing.

On motion of Lund previous motion was laid upon the table.

Following report of Committee on printing was received.

"Mr. Speaker:

Your Committee on Printing would respectfully report as correctly printed the list of Standing Committees and the order of business.

Monteath Chmn. "

Stebbins moved that when the House adjourn it be to meet at 12 M. on Monday Dec. 16th 1889

Boardman moved to amend by making the hour 8 P.M. Dec. 16th 89

Pory moved to amend by making it 4 P.M. Monday.
Amendment of Pory lost.
Motion as amended by Boardman carried.

On motion of Pory House adjourned until 8 P.M. Monday Dec. 16th 1889.

Aaron A. Smith
Speaker

Benjamin Rebsler
Chief Clerk

24th day.

House of Representatives,
State of Montana,
Helena, Dec. 16th 1889.

House met pursuant to adjournment at 8 P.M.
Mr. Speaker in the chair. Roll called, all members present.
Prayer by the Chaplain.
Journal of the 21st day read and approved.

Following report was received.

" Mr. Speaker.

Your Committee to whom was referred House Bill No. 2, an act to enable the Courts to procure proper Seals recommend that the same be referred to the Committee on Printing.

Cory Chairman "

Following notice of bill was given.

" Mr. Speaker.

I hereby give notice that I will, on tomorrow, or some subsequent day, introduce a bill to amend an act entitled "an act to provide for the registration of the names of electors, and to prevent fraud at elections"

Cory "

On motion of Harlan, House adjourned.

Aaron C. Witter
Speaker

Benjamin Webster
Chief Clerk

25th day.

House of Representatives.
State of Montana.
Helena, Dec. 17th 1889

House met pursuant to adjournment.
Mr. Speaker in the chair. Roll called; quorum present.
Absent, Messrs. Thompson and Loud.
Prayer by the Chaplain.
Journal of the 24th day read and approved.

On motion of Monteath a recess of 30 minutes was taken.

10.40 A.M.
House resumed; Mr. Speaker in the chair.

Following notices were given.

"Mr. Speaker;
I hereby give notice that I will, on tomorrow, or on some subsequent day, introduce a bill providing for Independ School Districts.
Howey "

"Mr. Speaker.
I hereby give notice that I will on tomorrow, or on some subsequent day, introduce a bill fixing the length of the legal working day at 8 hours.
Howey "

On motion of Stebbins a recess was taken until 12 M.

12 M.
House resumed: Mr. Speaker in the chair.

Goodman moved that when the House adjourn it be to meet at 11.30 A.M. Dec. 18th 1889
Motion carried.

On motion of Doty House adjourned until the time specified in above motion.

Aaron A. Shelton
Speaker

Benjamin Stebbins
Chief Clerk

26th day.

House of Representatives,
State of Montana,
Helena, Dec. 18th 1889.

House met pursuant to adjournment, at 11.30 A.M.
Mr. Speaker in the chair.
Roll called. Quorum present: absent on leave, Loud.
Prayer by the Chaplain.
Journal of the 25th day read and approved.

By consent of the House, Howey introduced the following resolution.

"Resolved: that a Committee of three members of this House "be appointed to act with a like Committee from the Senate, to "wait upon His Excellency, the Governor, and inform him that "the two Houses are now organized and ready for business, and "ready to receive any communication he may have to make."

On motion of Norton, resolution was adopted, pursuant to which the chair appointed as House members of such Committee Messrs. Wing, Harlan and Goodman.

Following report of Committee on Printing was received.

"Mr. Speaker,

Your Committee on Printing would respectfully "report House Bill No. 2, as correctly printed.

Monteath Chmn"

House Bill No. 2 was referred to Committee on Judiciary and Federal Relations.

Following notices were received.

"House of Representatives,
Dec. 18th 1889

"Mr. Speaker,

I hereby give notice that I will, on tomorrow "or some following day, introduce a memorial to be known as a "Joint Memorial of both Houses of the Montana State Legislature "to the U.S. Congress asking for the restoration of the tariff on "Hides and other by-products of Live Stock

Boardman"

"House of Representatives,
Dec. 18th 1889

"Mr. Speaker,

I hereby give notice that I will on tomorrow "or some following day, introduce a bill providing for the sale of "property, Real and Personal, upon which the taxes have become "delinquent, providing in same for interest, penalties &c.

Boardman"

" Mr. Speaker.

I hereby give notice that I will on tomorrow,
" or some subsequent day, introduce a Memorial to be known
" as a Joint Memorial of both Houses of the Montana State
" Legislature to the U.S. Congress, endorsing Chicago as the proper
" City in which to hold the World's Fair in 1892.

Boardman "

" Mr Speaker.

I hereby give notice that I will on
" tomorrow, or some subsequent day, present a bill fixing the
" number, duties and compensation of the officers and employes
" of each house of the Legislative Assembly of Montana.

Goodman "

" Mr. Speaker.

I hereby give notice that I will, on
" tomorrow, or some subsequent day, introduce a bill entitled
" An act in reference to informations in criminal cases etc.

Cory "

Following bills were introduced.

By Cory, House Bill No. 3 " An act entitled " an act
" to amend an act to provide for printing and distributing
" ballots at the public expense, and to regulate voting at
" Territorial and other elections " approved March 13th 1889

By Holter. House Bill No. 4
" An act concerning the publication of public documents."

House Bills Nos. 3 and 4 were read 1st and 2nd
times and refered to the Committee on Printing.

Boardman moved that the Rules be suspended, and
House Bill No. 3 be refered to the Committee on Privileges
and Elections.

Motion lost.

On motion of Hovey House Bill No. 1 was
withdrawn from the Committee on Judiciary and
Federal Relations, and refered to the Committee on Printing.

Thompson moved that a recess be taken until 12.30 P.M.
Motion withdrawn.

Thompson moved that the House proceeded to the election
of a Typewriter and Stenographer.

Carry moved to amend by deferring further action on the motion until 1 P.M.

Motion as amended carried.

On motion of Thompson House adjourned until 12.30 P.M.

12.30 P.M.

House resumed: Mr. Speaker in the chair.

By consent of the House Thompson placed the name of Mrs. E. E. Evans in nomination for the position of Typewriter and Stenographer.

No other names being presented, nominations were declared closed, and on motion of Thompson Mrs. E. E. Evans was elected by acclamation.

By consent of the House, Harlan introduced H. J. M. No. 2 to Congress, relating to surveys of Agricultural Lands and providing for immediate opening of same to entry.

House Joint Memorial No. 2 was read 1st and 2nd times and referred to Committee on Printing.

By consent of the House the Speaker appointed as Assistant Clerk to the House Mrs. Margaret Cunningham.

On motion of Cory House adjourned.

Garan A. Knittle
Speaker

Benjamin Stoltzfus
Chief Clerk

27th day.

House of Representatives,
State of Montana.
Helena, Dec. 19th 1889

House met pursuant to adjournment.
Mr. Speaker in the chair.
Roll called; no quorum present.
On motion of Roberts, a call of the House was made.
Absent Messrs. Waite, Moran and Harrington.

Mr. Moran appearing upon the floor of the House, on motion of Thompson further proceedings under the call were dispensed with.

Prayer by the Chaplain.

Messrs. Waite, Moran and Harrington were excused for absence at roll call. *

Following notices of Bills were given.

" Mr. Speaker,

" I hereby give notice that I will, on tomorrow
" or some following day introduce a bill, providing for the sub-
"mission to a vote of the electors of the State for an amendment
"to the Constitution, fixing the terms of County Commissioners.

Harlan "

" Mr. Speaker,

" I hereby give notice that I will on tomorrow
" or some following day, introduce a bill providing for fish guards
" or screens at the head of canals and water ditches, and for
"fish ladders at all dams in the State.

Harlan "

" Mr. Speaker.

" I hereby give notice that I will on tomorrow
" or some subsequent day introduce a bill amending Section
"1435 of Chapter 86, Compiled Statutes, relating to the rights
" of married women.

Bray "

Following resolution was introduced by Loud.

Mr. Speaker

I move to amend House Rule No. 52 by substituting the following therefor; -

" No. 52 - Printed; - All House bills shall, after their
" second reading, be referred to a Committee, returned therefrom,
" and printed, as amended, without special orders from the House.
" Provided; - that under no circumstances shall the original
" bill be placed in the hands of the printer, but a true copy
" - thereof shall be made under the direction of the printing
" Committee, and forthwith by that Committee delivered to
" the printer, with instructions to print a sufficient number
" of copies thereof, and return the same without delay. "

Following amendment was offered by Norton.

"Strike out the words "as amended" and substitute the words
" with the amendments "in lieu thereof."

Goodman" moved that further consideration of the Resolution be made a special order for tomorrow at 10.10 a.m.
Motion lost.

On motion of Norton, resolution and amendment was referred to the Committee on Rules & Joint Rules.

On motion of Norton a recess was taken until 2 P.M.

2 P.M.
House resumed: Mr. Speaker in the chair.

On motion of Loud the House took a recess until 4 P.M.

4 P.M.
House resumed: Mr. Speaker in the chair.

Following report of Committee on Printing was received.
" Mr. Speaker.
Your Committee on Printing would respectfully
"report H.B. No. 1 and H.B. No. 4 as correctly printed.
Montieth
Chm" "

House Bill No. 1 was refered to Committee on Judiciary and Federal Relations.

Messrs. Babcock, Thompson and Rutherford appearing upon the floor of the House, presented the following communication from the Senate.

"State of Montana,
Senate Chamber,
Helena, Mont. Dec. 19th 1889

To the Speaker, and Members of the House of Representatives.
We, a Committee appointed by the Senate of the State of Montana beg leave to inform your Honorable body that the First Senate of the State of Montana is duly organized by the election of the following named officers.

President, pro tem	Hon. L.B. Olds.
Secretary	Frederick Gilbert
Enrolling Clerk	Pierce Hoopes
Engrossing "	J.T. Kelly
Sergeant at Arms.	M. McGuirck
Chaplain	Rev. G.K. Berry
Watchman	Robt. Jackson
Page.	Woodman Paynter

The Senate now being fully organized is ready for the transaction of Legislative Business.

Babcock
Thompson
Rutherford. "

On motion of Thompson the communication was received and ordered spread upon the minutes.

On motion of Cony a recess of 5 minutes was taken.

4.10 P.M.

House resumed: Mr. Speaker in the chair.

House Bill No. 4 was refered to Committee on Ways & Means.

Following report of Committee on Rules and Joint Rules was received.

" Mr. Speaker,

Your Committee on Rules to whom "was refered the amendment to Rule No. 52 report back the "same with the recommendation that the following be substituted.

" "Rule 52. Printed. - All House Bills, after their second "reading, shall be refered to an appropriate committee, and if "favorably reported by said committee shall be printed as "recommended without a special order from the House.

" Provided. - That under no circumstances shall any bill be "placed in the hands of the printer, but a true copy thereof shall be "made, under the direction of the printing committee, and forthwith "by that committee delivered to the printer, with instructions to print "a sufficient number of copies thereof, and return the same "without delay.

Thompson Actg. Chmn "

On motion of Lord report was received and adopted.

On motion of Thompson the House took a recess until 7.30 P.M.

7.30 P.M.

House resumed: Mr. Speaker in the Chair.

Goodwin moved that when the House adjourn it be to meet at 11 A.M. Dec. 20th 1889

Motion carried.

Following report was received.

" Mr. Speaker,

Your Committee on Judiciary and Federal Relations, to whom was refered H.B. No. 1, relating to time of holding terms of the Supreme Court, report that they have had the same under consideration, and recommend that as amended by them the Bill do pass.

Dolman Chmn "

Thompson moved that the report be received and placed on General Orders.

Motion carried.

On motion of Thompson House resolved itself into Committee of the Whole to consider General Orders. Harvey in the chair.

7.55 P.M.

House resumed. Mr. Speaker in the chair.

Chairman of the Com. of the Whole made the following report.

" Mr. Speaker.

" The Committee of the Whole have had
" under consideration House Bill No. 1 and report the same
" back with the recommendation that as amended by the
" Judiciary Committee it do pass.

Harvey Chairman "

On motion of Thompson the report was received and adopted, and House Bill No. 1 was ordered engrossed.

On motion of Lord the House adjourned until the time specified.

Aaron C. Britton
Speaker.

Benjamin Peters
Chief Clerk.

28th Day.

House of Representatives,
State of Montana,
Helena, Dec. 20th 1889.

House met pursuant to adjournment.
Mr. Speaker in the chair.
Roll called: quorum present. Absent on leave Harrington and Moran.
Prayer by the Chaplain.
Journal of the 27th day read and approved.
Following communication from the Senate was received.
" Helena, Mont. Dec. 19th 1889.
" To the Hon. House of Representatives,
" Mr. Speaker.
" I am directed by the
" Senate to inform your Honorable body that in accordance
" with Section 4, Article 5. of the Constitution of the State
" of Montana this body determined by lot in todays session
" who of the Senators shall hold office for the long and
" short terms.
" It was decided by lot that the Senators from
" the odd numbered districts are entitled to hold office for
" three years, and those from the even numbered districts for
" one year.
Very Respectfully,
Frederick Gilbert
" Secretary.

Following reports were received.
" Mr. Speaker,
" Your Committee on Ways and Means
" to whom was referred House Bill No. 4 entitled an act
" concerning the publication of public documents desire to report
" it back favorably.
Holter Chairman.

" Mr. Speaker,
Your Committee on Engrossment
to whom was referred House Bill No. 1 entitled an act
to fix the terms of the Supreme Court, respectfully report
the same back correctly engrossed.
Phillips Chairman.

" Mr. Speaker,
Your Committee appointed to wait upon
the Senate to inform it of the permanent organization of the
House of Representatives, beg leave to report that they have
performed that duty, and that the Senate has received their
notification and ordered it to be spread upon the Journal.
All of which is respectfully submitted.

" Mr. Speaker.

Your Committee appointed to meet a like Committee of the Senate and wait upon the Governor to inform him that the two houses of the Legislature of the State of Montana were organized, beg leave to report that we have performed our duty: that we were received by the Governor, who informed us that at present he had no communication which he wished to make.

Wing Chairman "

" Mr. Speaker.

Your Select Committee to whom was referred House Joint Memorial No. 1, beg leave to report the following as a substitute and recommend its adoption.

Howey Chairman "

House Bill No. 4 was placed on General Orders.

House Joint Memorial No. 1 with substitute, on motion of Thompson was referred to Committee on Printing.

House Bill No 1 passed to 3rd reading.

Following notices were received.

" Mr. Speaker.

I hereby give notice that I will on tomorrow or some subsequent day introduce a bill to prevent prize fighting in the State of Montana.

Bray "

" Mr. Speaker.

I hereby give notice that on tomorrow, or some subsequent day of the Session, I will introduce a bill, entitled An act making the Clerk of the Supreme Court a salaried officer, and providing that all fees collected be paid into the State Treasury.

Harlow "

" Mr Speaker.

I hereby give notice that I will on tomorrow, or some future day, introduce a bill prohibiting the sale of Montana Trout in the markets of Montana.

Waite "

Following bill was introduced by Bray

House Bill No. 5.

An act to authorize married women to transact business in their own names as sole traders.

House Bill No. 6 was read 1st and 2nd times and referred to the Committee on Judiciary and Federal Relations.

House Bill No. 1 was read for the 3rd time, placed on its final passage, and passed by the following vote.

Ayes. Boardman, Blair, Blake, Bray, Cory, Dolman, Eaton, Greenough, Goodman, Harlan, Havey, Hastie, Hosley, Holler, Hoffman, Loud, Lochray, Mitchell, Monteath, Norton, Newcomer, Phillips, Roberts, Stebbins, Thompson, Wing, Waite, Mr. Speaker.

Ayes, 28. Nays 0. Absent 2

Absent Harrington and Moran.

On motion of Goodman a recess was taken until 2 P.M.

2 P.M.

House reconvened, Mr. Speaker in the Chair.

On motion of Loud House adjourned.

Aaron C. Smith
Speaker.

Benjamin Webster
Chief Clerk.

29th day

House of Representatives.
State of Montana.
Helena Dec. 21st 1889

House met pursuant to adjournment.
Mr. Speaker in the chair.
Roll called; no quorum present.
Absent on leave, Boardman, Eaton, Harrington, Mitchell and Moran.

Dory moved that when the House adjourn it be to meet at 2 P.M. Monday Dec. 23d 1889.
Motion carried.

On motion of Thompson, House adjourned until time specified.

Aaron C. Smith
Speaker.

Benjamin Stebbe
Chief Clerk.

31st day.

House of Representatives.
State of Montana.
Helena Dec. 23. 1889

House met pursuant to adjournment at 2 P.M.
Mr. Speaker in the chair. Roll called, quorum present.
Absent on leave. Stebbins.
Prayer by the Chaplain.
Journals of the 28th and 29th days read and approved.

Following report was received.

" Mr. Speaker.

Your Committee on printing would respectfully report House Bill No. 3, substitute for House Joint Memorial No. 1 and House Joint Memorial No. 2 as correctly printed.

Monteath, Chm"n

House Joint Memorial No. 1 was referred to Committee on Rail Roads.

House Joint Memorial No. 2 was referred to Committee on Public Lands.

House Bill No. 3 was referred to Committee on Privileges and Elections.

Following notices of Bills were received.

" Mr. Speaker.

I hereby give notice that I will at a future day bring in an amendment to Section 1355, Chapter 81, fifth division of compiled Statutes

Bray "

" Mr. Speaker

I hereby give notice that I will on tomorrow, or some following day, introduce a bill amending the mining laws.

Lochray "

" Mr. Speaker.

I hereby give notice that I will on tomorrow, or some future day, introduce a bill to regulate Text Books in the Public Schools.

Hoffman "

" Mr. Speaker

I hereby give notice that I will on tomorrow, or some subsequent day introduce a bill for an act providing for an official Ballot Box to be used at every voting precinct in the State at all general and other elections.

Harlan "

" Mr. Speaker

I hereby give notice that I will on tomorrow, or some subsequent day, introduce a bill to amend the act entitled "An act to provide for the Registration of names of Electors, and to prevent fraud at Elections."

Pory. "

Following bill was introduced by Harlan.

House Bill No. 6.

A bill for an act providing for the submission to the qualified electors of the State an amendment to the Constitution fixing the terms of County Commissioners.

By consent of the House Howey introduced without previous notice, House Concurrent Resolution No. 3, concerning adjournment.

House Concurrent Resolution No 3 was read 1st and 2nd times and on motion of Thompson, Rules were suspended, House Concurrent Resolution No. 3 was considered engrossed, read 3rd time placed on its final passage, and passed by the following vote.

Ayes Boardman, Bray, Pory, Dolman, Eaton, Harrington, Howey, Hosier, Holter, Hoffman, Loud, Lochray, Moran, Roberts, Thompson, Ward

Nays Blair, Blake, Greenough, Goodman, Harlan, Hastie, Mitchell, Mouteath, Norton, Newcomer, Phillips, Wing, Mr. Speaker.

Absent, Stebbins.

Ayes. 16 - Nays 13 Absent 1

On motion of Pory House took a recess until 8 P.M

8 P.M.

House resumed; Mr. Speaker in the chair.

On motion of Pory, House adjourned.

Aaron A. Nitter
Speaker.

Benjamin Nebeker
Chief Clerk

32nd Day

House of Representatives.
State of Montana.
Helena, Dec. 24th 1889

House met pursuant to adjournment.
Mr. Speaker in the chair. Roll called; all members present.
Journal of the 31st day read and approved.

House Joint Resolution No. 1 was withdrawn from Committee on Railroads and referred to Committee on Mines and Minerals.

Following report of Judiciary Committee was received.
" Mr. Speaker.

Your Committee on Judiciary and Federal Relations, to whom was referred H.B. No. 2, relating to an Act to enable the Courts of the State of Montana to procure proper Seals, have had the same under consideration and recommend that the same with the amendments herewith submitted do pass

Dolman
Chairman "

H. B. No. 2, with amendments was placed on Gen'l. Orders.

Thompson moved that the House go into the Committee of the Whole, to consider General Orders. Motion lost.

On motion of Wade a recess of 10 minutes was taken.

10 40 AM.

House resumed. Mr. Speaker in the chair.

Harlan moved that when the House adjourn it be to meet at 8 P.M. Friday Dec. 27th. Motion carried.

On motion of Boardman House adjourned until the time specified.

Aaron C Smith
Speaker.

Benjamin Webster
Chief Clerk

35th day.

House of Representatives,
State of Montana,
Helena, Dec. 27th 1889

House met pursuant to adjournment at 8 P.M.

Mr. Speaker in the chair.

Roll called: no quorum present.

Absent on leave, Messrs. Blair, Blake, Bray, Cory, Eaton, Greenough, Harlan, Mitchell, Moran, Phillips, Stebbins, Wing and Waite.

On motion of Lamb, House adjourned.

Aaron C. Witter
Speaker

Benjamin Rebsch
Chief Clerk

36th day.

House of Representatives.
State of Montana.
Helena, Dec. 28th 1889.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called: no quorum present.

Absent on leave, Messrs. Blair, Blake, Bray, Greenough, Harlan, Mitchell, Moran, Phillips, Ming and Waite.

On motion of Boardman, House adjourned.

Aaron C Smith
Speaker

Benjamin Rebele
Chief Clerk

38th day.

House of Representatives.
State of Montana.
Helena, Dec. 30th 1889

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called:- quorum present.

Absent on leave.- Boardman and Goodman.

Prayer by the Chaplain.

Journals of the 32nd 35th and 36th days read and approved.

Following Bill was introduced by Dary.

House Bill No. 7.

A bill relating to informations in criminal cases

House Bill No. 7 was read 1st and 2nd times and referred to Committee on Judiciary and Federal Relations.

On motion of Harlan, House took a recess until 2 P.M.

2 P.M.

House resumed: Mr. Speaker in the chair.

On motion of Meatheath, House adjourned.

Aaron C. Witter
Speaker.

Benjamin Stickel
Chief Clerk.

39th day.

House of Representatives.
State of Montana
Helena, Dec. 31st 1889.

House met pursuant to adjournment.
Mr. Speaker in the chair.
Roll called: quorum present. absent on leave, Galen.
Prayer by the Chaplain.
Journal of the 38th day read and approved.

Boardman moved that a recess be taken until 2.30 P.M.

Bray moved to amend by making the hour 11.45 A.M.
Motion as amended carried.

11.45 A.M.
House resumed; Mr. Speaker in the chair.

Roll called: all members present.

The Speaker announced that the hour of 12 M. on the second Tuesday since the organization of both Houses having arrived the time had come for the House to ballot for its choice for U.S. Senators.

Howey placed in nomination the name of the Hon. Wilbur F. Sanders for U.S. Senator.

The Speaker, having called Mr. Norton to the chair placed the name of the Hon. Lee Mantle, in nomination.

Boardman placed the name of the Hon. B.P. Carpenter in nomination for the same.

Bray placed the name of the Hon. T.C. Power in nomination for the same.

On motion of Norton the House proceeded to vote for first choice for U.S. Senator with the following result.

Boardman-	Sanders.	Harrington-	Sanders.	Monteath-	Sanders.
Blair-	"	Howey-	"	Norton-	"
Blake-	"	Hastie-	"	Newcomer-	"
Bray-	"	Hornby-	"	Phillipps-	"
Dory-	"	Holder-	"	Roberts-	"
Dolman-	"	Hoffman-	"	Stebbins-	"
Galen-	"	Lamb-	"	Thompson-	"
Greenough-	"	Lochray-	"	Wing-	"
Goodman-	"	Mitchell-	"	White-	"
Harlan-	"	Moran-	"	Mr. Speaker-	"

Total, Sanders 30. Absent 0.

The Hon. Wilbur F. Sanders was declared by the Speaker to be the unanimous choice of the House of Representatives for U. S. Senator.

On motion of Norton a recess was taken until 4 P.m.

4 P.M.

House resumed. Mr. Speaker in the chair.

Roll called:—all members present.

Harlan moved that an informal ballot be taken for the second U. S. Senator.

Motion withdrawn

Dolman placed the name of the Hon. Hiram Knowles in nomination for U. S Senator.

On motion of Boardman, House adjourned.

Aaron C. Britts
Speaker

Benjamin Roberts
Chief Clerk.

40th day.

House of Representatives.
State of Montana.
Helena Janiy. 1st 1890.

House met pursuant to adjournment.
Mr. Speaker in the chair.
Roll called: all members present.
Prayer by the Chaplain.
Journal of the 39th day read and approved.
On motion of Goodman a recess was taken until 11.45 a.m.

11.45 a.m.
House resumed. Mr. Speaker in the chair.
Roll called: all members present.

Bray moved that when the House adjourn it be to meet at 11 A.M. Janiy. 2nd
Motion carried.

The hour of 12 M. having arrived the Senate appeared upon the floor of the House, and the House and Senate went into joint session, Mr. President in the chair, the Secretary of the Senate acting as recording officer.

The roll was called, as follows

Armington,	present.	Hardenbrook,	absent	Parberry,	absent
Babcock,	present.	Harlan,	present	Penrose,	"
Baker,	absent	Harrington,	"	Phillips,	present
Barron,	"	Hastie,	"	Poole,	absent
Beach,	"	Hedges,	"	Redd,	"
Becker,	"	Hennessy,	absent	Roberts,	present
Blair,	present	Higgins,	"	Rutherford,	"
Blake,	"	Hoffman, C.W.	"	Schmidt,	absent
Blakely,	absent	Hoffman, Frank N.	present	Stebbins,	present
Boardman,	present	Hollywood,	absent	Thompson, Jas. D.	"
Bray,	"	Holter,	present	Thompson, Wm.	"
Breen,	absent	Hosking,	"	Thornton,	absent
Brown,	present	Howey,	"	Toole,	"
Burns,	absent	Hughes,	absent	Twohy,	"
Carney,	"	Humber,	"	Waite,	present
Clark,	"	Lochray,	present	Wallace,	absent
Conley,	"	Loud,	"	Whaley,	"
Cory,	present	McElwee,	absent	Wing,	present
Critchfield,	absent	McNamara,	"	Wither,	"
Dolman,	present	Mitchell,	present	Woodson,	absent
Eaton,	"	Monteath,	"		
Fisher,	"	Moran,	"		
Frank,	absent	Newcomer,	"		
Goodman,	present	Norton,	"		
Greenough,	"	Olds,	"		

Present 38. Absent 32

The President of the Joint Assembly announced that 38 members having answered to their names there was a quorum present.

Thereupon in the presence of the two Houses in Joint session the Journal of each House for the preceding day was read, whereupon it appeared that in the Senate on said day, to wit- the 31st day of Dec. A.D. 1889, Wilbur F. Sanders received seven <7> votes for Senator in the Congress of the United States, and B. Platt Carpenter received one <1> vote for Senator in the Congress of the United States and in the House of Representatives on said 31st day of Dec. 1889, Wilbur F. Sanders received Thirty <30> votes for Senator in the Congress of the United States.

The following resolution introduced by Hedges, was adopted.

"Resolved that: Inasmuch as it appears from the Journal of the Senate that on Dec. 31st 1889, being the second Tuesday after the organization of the two Houses of the Legislative Assembly only eight Senators voted for Senators in Congress, it is hereby ordered that this body, composed of a majority of the two houses of the Legislative Assembly will now proceed to vote, viva voce, for the two Senators to be elected".

The President announced that in pursuance of a law of Congress it became the duty of the Joint Assembly to proceed to the election of a U. S. Senator to Congress from the State of Montana.

The roll was called each member expressing his choice as his name was called, as follows.

Cunningham -	Wilbur F. Sanders.	Harvey -	Wilbur F. Sanders.
Babcock -	Wilbur F. Sanders.	Hovey -	Wilbur F. Sanders.
Blair -	Wilbur F. Sanders.	Lochray -	Wilbur F. Sanders
Blake -	Wilbur F. Sanders.	Lamb -	Wilbur F. Sanders.
Boardman -	Wilbur F. Sanders.	Mitchell	Wilbur F. Sanders.
Bray -	Wilbur F. Sanders.	Monteath -	Wilbur F. Sanders.
Brown -	Wilbur F. Sanders.	Moran -	Wilbur F. Sanders.
Cory -	Wilbur F. Sanders.	Newcomer.	Wilbur F. Sanders.
Dolman -	Wilbur F. Sanders.	Norton -	Wilbur F. Sanders
Eaton -	Wilbur F. Sanders.	Olds -	Wilbur F. Sanders.
Fisher -	Wilbur F. Sanders.	Phillips -	Wilbur F. Sanders.
Goodman -	Wilbur F. Sanders.	Roberts -	Wilbur F. Sanders.
Gremough -	Wilbur F. Sanders.	Rutherford -	Wilbur F. Sanders.
Harlan -	Wilbur F. Sanders.	Stebbins -	Wilbur F. Sanders.
Harrington -	Wilbur F. Sanders.	Thompson, Jas. S. -	Wilbur F. Sanders.
Hastie -	Wilbur F. Sanders.	Thompson, Wm. -	Wilbur F. Sanders.
Hedges -	Wilbur F. Sanders.	Waite -	Wilbur F. Sanders.
Hoffman - Frank M.	Wilbur F. Sanders.	Wing.	Wilbur F. Sanders.
Holter -	Wilbur F. Sanders.	Witter -	Wilbur F. Sanders.

Wilbur F. Sanders 38. Absent 32.

The President announced that Wilbur F. Sanders had received all the votes cast and was therefore declared to be elected U. S. Senator to Congress from the State of Montana.

Rep. Phillips moved that a recess of 10 minutes be taken. Motion lost.

The President announced that it now became the duty of the Legislative Assembly in Joint Session to proceed to the election of a second Senator to Congress.

Rep. Goodman placed the name of the Hon. L. H. Herschfield in nomination.

Sen. Brown placed in nomination the name of Hon J. E. Rickards, Lieut. Gov. of the State.

A viva voce vote was then taken as follows.

Arrington - Lee Maude
Babcock - J. E. Rickards
Blair - E. D. Leavitt
Blake - E. D. Leavitt
Boardman - L. H. Herschfield
Bray - J. E. Rickards
Brown - J. E. Rickards
Carey - B. P. Carpenter
Dolman - E. D. Leavitt
Eaton - Lee Maude
Fisher - Lee Maude
Goodman - L. H. Herschfield
Greenough - E. D. Leavitt
Harlan - E. D. Leavitt
Harrington - J. E. Rickards
Hastie - L. H. Herschfield
Hedges - J. E. Rickards.
Hoffman - Lee Maude
Holden - Lee Maude
Horsey - L. H. Herschfield
Howey - Lee Maude
Lochray - T. C. Power
Loud - J. E. Rickards.
Mitchell - E. D. Leavitt
Monteath - Lee Maude
Moran - J. E. Rickards
Newcomer - J. E. Rickards
Norton - T. C. Power
Olds - J. E. Rickards
Phillips - J. E. Rickards
Roberts - Lee Maude
Rutherford - J. E. Rickards
Stebbins - Lee Maude
Thompson, Jas. E. - Lee Maude
Thompson Wm. - E. D. Leavitt
Waite - T. C. Power
Wing - E. D. Leavitt
Wilder - Lee Maude.

Absent. Baker - Barrow - Beach - Becker - Blakely - Breen - Burns - Carney - Clark - Conley - Critchfield - Frank - Hardenbrook - Hennessy - Higgins - Hoffman, C.W. - Hollywood - Hughes - Humber - Mc Elwee - Mc Namara - Parberry - Penrose - Poole - Redd - Thornton - Toole - Twohy - Wallace - Whaley - Schmidt - Woodson

The President announced that of the 38 votes cast

Lee Mantle had received	11	(Eleven)
J.E. Richards " "	11	(Eleven)
E.D. Leavitt " "	8	(Eight)
B.P. Carpenter " "	1	(one)
L.H. Herschfield " "	4	(four)
T.C. Power " "	3	(three)
Total	38	

and that it was necessary to proceed to a second ballot, no one having received a majority.

On motion of Norton the Joint Session was dissolved for the day.

1 P.M.

House resumed: Mr. Speaker in the chair.

On motion of Greenough the House adjourned.

Aaron C. Nutter
Speaker

Benjamin Estabrook
Chief Clerk

41st day

House of Representatives,
State of Montana,
Helena, Jany. 2nd 1890.

House met pursuant to adjournment at 11 a.m.
Mr. Speaker in the chair.
Roll called: quorum present.
Prayer by the Chaplain.
Journal of the 40th day read and approved.

On motion of Gremaugh a recess was taken until 11.50 a.m.

11.50 a.m.
House resumed: Mr. Speaker in the chair.

Bray moved that when the House adjourn it be to meet at 11.30 a.m. Jany 3rd 1890. Motion carried.

The hour of 12 M. having arrived, the Senate appeared upon the floor of the House and both Houses of the Legislative Assembly went into Joint Session, Mr. President in the chair, the Secretary of the Senate acting as recording officer of the Legislative Assembly.

The roll was called resulting as follows.

Present- Arrington.
Babcock.
Blair.
Blake.
Boardman.
Bray.
Brown.
Cory.
Dolman.
Eaton
Fisher.
Goodman.
Gremaugh.
Harlan.
Harrington.
Hastie
Hedges
Hoffman, Frank H.
Holter.
Horsky.
Howey.
Lochray.
Loud.
Mitchell.
Monteath.
Moran.
Newcomer.
Norton.
Olds.
Phillips.
Roberts.
Rutherford.
Stebbins.
Thompson, Jas. S.
Thompson, Wm
Waite.
Wing.
Witter.

Total 38

Absent:- Baker - Barrow - Beach - Becker - Blakely - Breen - Burns - Carney - Clark - Conley - Critchfield - Franc - Hardenbrook - Hennessy - Higgins - Hoffman, C.W. - Hollywood - Hughes - Humber - McElwee - McNamara - Parberry - Penrose - Poole - Redd - Schmidt - Shannon - Toole - Twohy - Wallace - Whaley - Woodson.

Total 32

There being 38 members present and answering to their names. The President announced that a quorum was present and the Joint Assembly was ready to transact business. The minutes of the Joint Assembly of the previous day were read by the Secretary, and approved.

The President announced that it now became the duty of the Joint Assembly to ballot for the second U.S. Senator to Congress.

The roll was called, as follows, each member expressing his choice as his name was called.

Annington -	Lee Mantle.	Horsey -	J. E. Rickards.
Babcock -	J. E. Rickards.	Howey -	T. C. Power.
Blair -	T. C. Power.	Lochray -	T. C. Power
Blake -	T. C. Power.	Lamb -	J. E. Rickards.
Boardman -	L. H. Herschfield.	Mitchell -	T. C. Power.
Bray -	T. C. Power.	Monteath -	Lee Mantle.
Brown -	J. E. Rickards	Moran -	T. C. Power.
Cory -	L. H. Herschfield.	Newcomer -	Lee Mantle.
Dolman -	Wm. Thompson.	Norton -	T. C. Power.
Eaton -	Lee Mantle.	Olds -	J. E. Rickards.
Fisher -	Lee Mantle	Phillips -	T. C. Power.
Goodman -	L. H. Herschfield.	Roberts -	Lee Mantle.
Greenough -	T. C. Power.	Rutherford -	T. C. Power.
Harlan -	T. C. Power	Stebbins -	Lee Mantle.
Harrington -	T. C. Power	Thompson Jas. S. -	Lee Mantle
Haskie -	T. C. Power	Thompson Wm.	Lee Mantle
Hedges -	J. E. Rickards.	Waite -	T. C. Power.
Hoffman F. H.	Lee Mantle.	Wing -	J. E. Rickards.
Holden -	T. C. Power.	Witter -	Lee Mantle.

Absent - Baker - Barrow - Beach - Becker - Blakely - Breen - Burns - Carney - Clark - Conuly - Crutchfield - Franks - Hardenbrook - Hennessy - Higgins - Hoffman, C. W. - Hollyword - Hughes - Kinnier - Mc Elwee - Mc Namara - Parberry - Penrose - Poole - Redd - Schmidt - Thornton - Toole - Twohy - Wallace - Whaley - Woodson.

The President announced that there were 38 votes cast; necessary for a choice, 20.

That the Hon Lee Mantle had received 11 <Eleven>
" " J. E. Rickards " " 7 <seven>
" " T. C. Power " " 16 <sixteen>
" " L. H. Herschfield " " 3 <three>
" " Wm Thompson " " 1 <one>

That there was no choice and another ballot became necessary.

Rep. Goodman moved that the Joint Session be dissolved for the day.
Motion lost.

The Joint Assembly then proceeded to take a second vote for second U.S. Senator to Congress, each member expressing his choice, as follows.

Arrington -	Lee Mantle.	Horsky -	B. P. Carpenter.
Babcock -	T. C. Power	Howey -	T. C. Power.
Blair -	T. C. Power	Lochray -	T. C. Power
Blake -	T. C. Power	Lamb -	T. C. Power
Boardman -	Lee Mantle	Mitchell -	T. C. Power
Bray -	T. C. Power.	Monteath -	Lee Mantle
Brown -	J. E. Rickards.	Moran -	T. C. Power.
Cory -	Lee Mantle.	Newcomer -	T. C. Power
Dolman -	J. E. Rickards.	Norton -	T. C. Power
Eaton -	Lee Mantle	Olds -	Lee Mantle
Fisher -	Lee Mantle	Phillips -	T. C. Power.
Goodman -	Wm. Thompson	Roberts -	Lee Mantle
Greenough -	T. C. Power.	Rutherford -	T. C. Power.
Harlan -	T. C. Power	Stebbins -	Lee Mantle.
Harrington -	T. C. Power	Thompson, Jas. D. -	Lee Mantle
Hastie -	T. C. Power	Thompson, Wm. -	Lee Mantle
Hedges -	T. C. Power	Waite -	T. C. Power
Hoffman F. H.	Lee Mantle.	Wing -	Lee Mantle
Holter -	T. C. Power.	Witter	Lee Mantle

Absent- Baker - Barrow - Black - Becker - Blakely - Breen - Burns - Carney - Clark - Donnelly - Dutchfield - Franc - Hardenbrook - Hennessy - Higgins - Hoffman, C. W. - Hollywood - Hughes - Humber - Mc Elroe - Mc Namara - Parberry - Penrose - Poole - Redd - Schmidt - Thornton - Toole - Twohy - Wallace - Whaley - Woodson.

Before the vote was announced, Representatives Dolman, Wing, Thompson, Goodman, Cory, Horsky, Witter, Boardman, Stebbins, Monteath, Hoffman and Eaton, and Senators Brown, Thompson and Fisher changed their votes, casting the same for the Hon. T. C. Power.

The President announced that 38 votes had been cast: necessary for a choice 20:- that the Hon. T. C. Power had received 35 votes, and the Hon. Lee Mantle had received 3 votes: and declared that the Hon. T. C. Power, having received a majority of the votes cast was duly elected U. S. Senator to Congress from the State of Montana.

Rep. Bray moved that a Committee of 2 be appointed to wait upon the Senator elect and inform him of his election, and escort him to the floor of the House.

Motion carried, pursuant to which the Chair appointed Rep. Bray and Sen. Fisher, as such Committee.

Committee reported that they had performed their duty.

The President of the Joint Assembly announced that the duty for which the Joint Session of the Legislative Assembly had been convened having been performed, he now declared the Joint Session dissolved.

1.05 P.M.

House resumed:- Mr Speaker in the Chair.

On motion of Greenough, House adjourned.

Aaron C. Knight
Speaker

Benjamin Webster
Chief Clerk

42nd day.

House of Representatives.
State of Montana.
Helena, Jany. 3rd. 1899.

House met pursuant to adjournment at 11.30 A.M.
Mr. Speaker in the chair.
Roll called: quorum present.
Absent on leave, Waite and Corry.
Prayer by the Chaplain.

Journal of the 41st day read and approved.

Following report was received.

" Mr. Speaker.

Your Committee on Mines and Minerals to whom was referred H. J. M. No. 1, and substitute relating to Mineral Lands, beg to report that they have considered the same, and have it them back with the recommendation that the substitute do pass.

Eaton
Chairman "

House Joint Memorial No. 1 with report of Committee was placed on General Orders.

Following notices of bills were given.

By Roberts.

Mr. Speaker

I hereby give notice that on tomorrow, or some subsequent day, I will introduce a bill looking to the amendment of our Mining Laws.

By Blair.

Mr. Speaker,

I hereby give notice that I will on tomorrow, or some subsequent day, introduce a bill to enable Road Districts to elect Boards of Supervisors, and to provide for the duties thereof.

Following bill was introduced by Norton.

House Bill No. 8.

An act entitled an act making the Clerk of the Supreme Court a salaried officer, and providing that all fees collected by him be paid into the State Treasury.

House Bill No. 8 was read 1st and 2nd times, and referred to the Committee on Judiciary and Federal Relations.

Norton moved that the House resolve itself into the Committee of the Whole to consider General Orders.

Dolman moved that a recess be taken until 2 P.M.
Motion carried.

2 P.M.
House resumed. Mr. Speaker in the chair.
Roll called: quorum present. Absent on leave, Mitchell.

On motion of Thompson, House resolved itself into the Committee of the Whole. Norton in the chair.

3.30 P.M.
House resumed; Mr. Speaker in the chair.

Chairman of the Committee of the Whole was granted time to report.

On motion of Greenough House adjourned.

Aaron L. Britton
Speaker
Benjamin Hebalt
Chief Clerk.

43rd day.

House of Representatives,
State of Montana.
Helena, Janiy. 4th 1890

House met pursuant to adjournment.
Mr. Speaker in the chair.
Roll called: quorum present. absent on leave, Greenough.
Prayer by the Chaplain.

Journal of the 42nd day read and approved.

Following report was received.

Mr. Speaker.

Your Committee of the Whole has had under consideration House Bill No. 2. with amendments thereto submitted by the Committee on Judiciary and Federal Relations, and respectfully report the same back with recommendation that with the amendments herewith transmitted it be re-referred to the Committee on Judiciary and Federal Relations.

Norton Chairman.

House Bill No. 2 was recommitted to the Committee on Judiciary and Federal Relations.

On motion of Harlan the House resolved itself into the Committee of the Whole to consider General Orders, Mr. Harrington in the chair.

11.30 A.M.

House resumed: Mr. Speaker in the chair.

Chairman of the Committee of the Whole reported progress and asked leave to sit again.

On motion of Monteath House adjourned until Monday Janiy. 6th 1890.

Aaron E Smith
Speaker
Benjamin Ireland
Chief Clerk

45th day

House of Representatives
State of Montana
Helena Jan 6/90

House met pursuant to adjournment
Mr. Speaker in the chair
Roll called
Absent, Dalmen, Grenough and Phillips.
Absent on leave, Stebbins, Mitchell and
Montrath.

On Motion of Bray, a recess was taken
until 2. P. M.

2 P M

House resumed.
Mr Speaker in the chair
Roll called
Absent on leave
Mitchell and Stebbins
Absent
Grenough Phillips and Dalmen

On Motion of Beardsley House adjourned

Aaron C. Smith
Speaker
Benjamin Brooks
Chief Clerk

House of Representatives
State of Montana
Helena Jan 7/91

House met pursuant to adjournment.
Mr Speaker in the chair
Roll called
Absent on leave Dolman Greenough
Mitchell Phillips and Stebbins.

On motion of Bray a recess was
taken until 3 P M.

3. P M.
House resumed
Mr Speaker on the cheir.
Roll called.
Absent, Eaton.

Messrs Dolman Phillips and Greenough, were excused for absence from the session of the previous day

Following bills were introduced
By Committee of ways and Means by
Unanimous consent, without previous
notice, House Bill No 9
"An act appropriating money to defray
the expenses of the Legislative Executive
and Judicial Departments of the
State of Montana, for the finish fiscal
year."
By Goodman, House Bill No 10.
An act entitled an act fixing the
number compensation and duties of
the officers and employees of the
Senate and House of Representatives
of the Legislative Assembly of the
State of Montana.
By Ellerbe, House Bill No 11
A Bill for an act entitled an act
providing for an official ballot bax
to be used at elections in this State.
By Roberts House Bill No 12,
A Bill for an act to amend Sec's 1477.
78. 79. 83. 84. 85 and 86 of the 5th Division
of the Compiled Statutes of Montana
relating to the location and recording
of mining claims

House Bills No's 9. 10. 11. and 12 were
1st and 2nd time.

House Bill No. 9, was referred to Committee on Ways and Means.
House Bill No. 10, was referred to Committee on State Affairs.

House Bill No. 11, was referred to Committee on Privileges and Elections.

House Bill No 12, was referred to Committee on Mines and Minerals.

Greenough, moved that the vote by which the minutes of the 40th day were adopted, be reconsidered.
Motion carried.

Following resolution was introduced by Greenough and adopted.

Resolved, that to the Journal of the proceedings of the 40th day be added the following, after the announcement of the President of the Senate, of the presence of a quorum.
Thereupon in the presence of the two houses, in joint Session, the Journal of each house, for the preceding day, was read whereupon it appeared, that in the Senate on said day to wit, the 31st day December, A.D. 1889. Wilbur F Sanders, received 7 votes for Senator, in the Congress of the United States and B Platt Carpenter, received one vote, for Senator in the Congress of the United States, and in the House of Representatives, on said 31st day of December 1889, Wilbur F Sanders, received thirty votes for Senator in the Congress of the United States."

Pursuant to the foregoing Resolution, the Clerk was instructed to make the necessary corrections in the Journal in the presence of the House.

Following report read.

Mr Speaker.
Your Committee on Ways and Means to whom was referred House Bill No. 9, "Appropriating funds for the Executive, Judicial and Legislative, departments," beg leave to report the same back with the recommendation that it do pass.

House Bill No. 9, was referred to Committee on Printing.

On Motion of Norton, House resolved itself into the committee of the whole, to consider General orders.

Mr Harrington in the chair.

4.15 -

House Resumed.

Mr Speaker in the chair.

The Chairman of the Committee of the whole was granted time to Report.

That portion of the Journal of the 40th day, containing the correction thereby did the resolution of Greenough, was read and the Journal of that day, as so corrected, was approved.

On Motion of Thompson, House adjourned.

Aaron C. Smith
Speaker.

Benjamin Peters
Chief Clerk.

47th day

House of Representatives
State of Montana
Helena Jan 8th 1891

House met pursuant to adjournment,
Mr Speaker in the chair
Roll called. quorum present.
Absent on leave. Cary.
Prayer by the Chaplain.

Journal of the 46th read and approved.

Following report received.

Mr Speaker.

Your Committee of the whole, have had under consideration House Joint Memorial No. 1, and report the same back with the recommendation, that with the amendments herewith submitted, the Memorial do pass.

F Harrington.
Chairman.

On motion of Thompson.
Report adopted.

House Joint Memorial was ordered engrossed

Following notices of bills were given

By Hoffman.
Mr Speaker.
I hereby give notice, that I will, on tomorrow, or some other subsequent day, introduce a bill to provide for the Great Seal of the State of Montana.

By Bray.
Mr Speaker.
I hereby give notice that I will on tomorrow, or some subsequent day, introduce a bill for an act. Prescribing the duties of the State board of Examiners.

By Bray.
Mr Speaker.
I hereby give notice that I will on tomorrow, or on some subsequent day introduce a bill for an act prescribing the duties of the State board of Equalization.

On motion of Norton.
House adjourned itself into the Committee of the whole to consider Executive orders.
Mr Eaton in the chair.

10 45 A M

House resumed.
Mr Speaker in the chair.
Following report read.

Mr Speaker.

Your Committee of the whole have had under consideration House Bill No 4, and beg to report the same back with the recommendation that it be referred to the Committee on Printing.

J Eaton.
Chairman

On motion of Norton report was adopted.
On motion of Norton, a recess was taken until 2 P M.

2 P M.

House resumed.
Mr Speaker in the chair.
Roll called, all members present.

Following report received.

Mr Speaker.

Your Committee on Judiciary and Federal relations, to which was referred House Bill No. 2, relative to an act to enable the courts of the State of Montana, to procure proper seals & have had the same under consideration and report it back to the House, with the amendments herewith submitted and recommend that it do pass.

Dolman.
Chairman

On Motion of Horsky, report was adopted and House Bill No. 2, with amendments of Committee on Judiciary and Federal Relations was referred to Committee on Engrossment.

Report of Committee on Printing.

Mr Speaker.

Your committee on printing, to whom was referred House Bill No. 4, would respectfully report that, having had the same under consideration, ask leave to report back the same, with a substitute and would recommend that the substitute do pass.

Montcalm.
Chairman.

On motion of Barlow, report was adopted.
House Bill No 4, with substitute of Committee on Printing, was referred to Com on Engrossment, and substitute ordered engrossed.

2nd Report of Committee on Printing.

Mr Speaker.

Your Committee on printing, would respectfully report House Bill No 9, as correctly printed.

Montcalm.
Chairman.

House Bill No. 9, was placed on General orders.

On motion of Harlan, House resolved itself into the Committee of the whole, to consider House Bill, No. 9.

Mr Loud in the chair.

3 45 P. M.

House resumed.

Mr Speaker in the chair.

Report of the Committee of the whole.

Mr Speaker.

Your Committee of the whole, has had under consideration House Bill, No. 9, and respectfully report progress and ask leave to sit again.

Loud.
Chairman.

On motion of Stebbins, House adjourned.

Warren C Whitter
Speaker
Benjamin Blake
Acting Clerk

48th day,

House of Representatives.
State of Montana,
Helena January 9th 96

House met pursuant to adjournment.
Mr Speaker in the chair.
Roll called. Quorum present.
Absent on leave, Horsky.
Prayer by the Chaplain.
Journal of 47th read and approved.
Following notices of bills were given.
By Lund.
Mr Speaker.

I hereby give notice that I will, on tomorrow, or some subsequent day, introduce a bill entitled, "An act to prevent the destruction by fire of the grass and forests upon lands of the State."

By Lund.
Mr Speaker.

I hereby give notice that I will on tomorrow, or some subsequent day, introduce a bill entitled, "An act to provide for the canvass of the returns of election of State Officers, of the Legislative Assembly."

By Moreau.
Mr Speaker

I hereby give notice that I will on tomorrow, or some subsequent day, introduce a Bill Entitled, "An act to provide for the duties and compensation of County attorneys.

By Moreau.
Mr Speaker

I hereby give notice that I will on tomorrow, or some subsequent day, Introduce a Bill entitled, an act to provide by contract for all Stationary, Printing Paper, Coal, and Lights, heating and furnishing and Repairing of Halls and rooms, used for the Meeting of the Legislature and other departments of Government.

By Harrington.
Mr. Speaker.
I hereby give notice that I will on to-morrow, or some subsequent day, introduce an amendment to a bill, entitled, an act to amend an act entitled an act to provide for the levy & taxes and assessment & property

On motion of Harlow, House resolved itself into Committee of the whole, to consider General orders.
Mr Lund in the chair.

11. A. M.
House resumed.
Mr. Speaker in the chair.
The chairman of the Committee of the whole, was granted time to report.

On motion of Morton, a recess of 15 minutes was taken.

11.15 A. M.
House resumed.
Mr Speaker in the chair.
Following report received.
Mr Speaker.
Your Committee of the Whole, has had under consideration House Bill No. 9, and respectfully report the same back with recommendation, that with amendments herewith transmitted, the bill do pass.

Lund
Chairman

On motion of Waite, report was adopted.
House Bill, No. 9. with amendments was referred to Committee on Engrossment and ordered engrossed.

Following report was received.
Mr Speaker.
Your committee on Engrossment, to whom was referred, House Bill, No. 2. concerning Court Seals, also House Bill No. 4. Concerning public documents and House Joint Memorial, No 1. To Congress. Respectfully report the same back, Correctly engrossed

Phillips
Chairman

House Bill No. 2, House Bill No. 4, and House Joint Memorial No. 1 were placed on calendar, for 3d reading.

On motion of Thompson, a recess was taken until 2. P. M.

2. P. M.

House resumed.
Mr Speaker in the chair.
Roll called. Quorum present.
Absent on leave. Yorsky.
Absent Dalmen
On motion of Goodman, a call of the House was made.
Absent on leave, Yorsky. Absent Dalmen.
The Sergeant at Arms, ordered instructed to secure the presence of the absentees.

Mr. Dalmen appearing upon the floor of the House, on motion of Lund, further proceedings under the call, were dispensed with.

Following resolution was introduced by Mr. Stebbins
Resolved, that the Sergeant-at-arms, be instructed to provide the members of this house, with suitable files for the presentation and care of bills.

On motion of Stebbins the resolution was adopted.

Following report was received.
Mr. Speaker
Sir. Committee on Engrossment, to whom was referred House Bill, No. 9, concerning Appropriations, Respectfully report the same back correctly engrossed.
J. Phillips.
Chairman,

House Bill No. 9, was placed on calendar for 3d reading.

House J. M. No. 1 was read 3d time, placed on its final passage and passed by following vote

Ayes

~~Boardman, John Jr.~~
Blair, J. W.
Blake, A. S.
Brey, Abraham H.
~~Cobb, David A.~~
Dalbman, Peter R.
Eaton, Chas A.
~~Greenough, J L.~~
Goodenow, E. A.
~~Hartwell, W. B.~~
Herrington, Forsyth
Hurd, Robert A.
Hastie, Edwin D.
Loud.
Lochray.
Phillips.

Dalton, Anton Jr.
Hoffmann, Frank A.
Mitchell, Samuel
Moreau Hugh Jr.
Monteath James A.
Morton Williams A.
Newcomer Martin
Roberts William A.
~~Stebbins Charles A.~~
Thompson Williams
Wing R. J.
Waldo John D.
Mr. Speaker — — — 29

Nays

~~Libud, Charles A.~~
~~Lochray, Charles~~
~~Phillips, J. J.~~
~~Mr Speaker.~~ 4

Nays. Boardman
Cony
Harlan
Stebbins.

Absent.
Harsky. John

Dalton agreed to

House Bill No. 2, was read 3d time placed on its final passage and passed by the following vote

Ayes

Boardman, John Jr.
Blair, J. W.
Blake, A. S.
Brey, Abraham H.
Cobb, David A.
Dalbman, Peter R.
Eaton Chas. A.
Greenough, J. L.
Goodenow, E. A.
Hartwell, W. B.
Herrington, Forsyth
Hurd, Robt A.
Hastie Edwin D.
Dalton, Anton Jr.
Ayes Charles A Lord. 1

Hoffmann Frank A.
Lochray, Charles
Mitchell, Samuel
Moreau, Hugh M.
Monteath, James A.
Morton Williams A.
Newcomer, Martin
Phillips J. J.
Roberts, William A.
Stebbins Charles A.
Thompson Willian
Wing R. J.
Waldo John D.
Mr Speaker 28
Absent, John Harsky 1

Dalton agreed

House Bill No 4 was read 3d time
placed upon its final passage and
passed by following Vote

Ayes.

Beardsmore John Jr.
Blair, J. W.
Blake, A. S.
Brey, Absalom G.
Cady, Daniel A.
Dalbrew, Peter R.
Eaton, Chas H.
Greenough, G. L.
Goodenow E. A.
Harlan, W. B.
Harrington Gaylord
Henry Robt, A.
Hastie, Edwin D.
Hollis, Austin Jr.
Hoffman, Frank A.
Mitchell, Samuel
Moreau, Hugh Jr.
Monteath, Johns A.
Morton, Williams A.
Duncanir, Martin
Roberts, Williams A.
Stebbins, Charles A.
Thompson Williams
Wing, R. G.
Weldin John D. 25

Nays.

Absent.

Lund Charles A
Lothrop Charles
Phillips J. G.
Mr Speaker 4

Hayes by Johns 1

Vote agreed to

House Bill No 4 was read 3d time
placed on its final passage and
passed by the following Vote

Ayes

Beardsmore John Jr.
Blair, J. W.
Blake, A. S.
Brey, Absalom G.
Cady, Daniel A.
Dalbrew Peter R.
Eaton, Chas A.
Greenough, G. L.
Goodenow, E. A.
Harlan W. B.
Harrington, Gaylord
Henry, Robt A.
Hastie, Edwin D.
Hollis Austin Jr

Hoffman, Frank A.
Lothrop, Charles A.
Lothrop, Charles
Mitchell, Samuel
Moreau, Hugh Jr.
Morton, Williams A.
Duncanir, Martin
Phillips, J. G.
Roberts, Williams A.
Thompson, Williams
Wing, R. G.
Weldin, John D.
Mr Speaker 27

Nays

Absent
Hayes by John 1

Mr Brattle, Johnston Jr. 2
Stebbins, Charles A.

Vote agreed to

On motion of Waite
House adjourned

Aaron C Wright
Speaker

Benjamin Poore
Chief Clerk

49th day

House of Representatives.
State of Montana,
Helena, Janry. 10th 1890

House met pursuant to adjournment.
Mr. Speaker in the chair. Roll called. quorum present.
Absent on leave, Horsky and Mitchell.
Prayer by the Chaplain.

Journal of the 48th day read and approved.

Following notices of bills were given.

By Howey.

Mr. Speaker.

I hereby give notice that on tomorrow or some subsequent day I will introduce a bill to provide for a Bureau of Agriculture, Labor and Industry.

By Goodman.

Mr. Speaker.

I hereby give notice that I will, on tomorrow or some subsequent day, introduce a bill to amend Sect. 767 First Division Compiled Statutes of Montana, relating to the qualifications of sureties on undertakings.

By Norton

Mr. Speaker.

I hereby give notice that I will, on tomorrow, or some future day, introduce a bill entitled an act to amend Sect. 1880 of the School Laws in relation to publishing notices and the qualifications of Electors at School Elections.

By Stebbins.

Mr. Speaker.

I hereby give notice that I will, on tomorrow or some subsequent day, introduce a bill entitled an act to prohibit Minors and other persons from climbing, clinging, jumping, stepping or otherwise attaching themselves to Railroad trains, and providing penalties for its infringement.

By Stebbins.

Mr. Speaker,

I hereby give notice that I will, on tomorrow or some subsequent day, introduce a bill entitled an act to prohibit and punish discrimination and extortion by common carriers.

Following Bills were introduced.

By Howey. House Bill No. 13.
A Bill for an act to establish independent Public School Districts and to provide for Trustees for the same.

By Hoffman. House Bill No. 14.
An act to provide a Seal for the State of Montana and defining its custody.

By Bray. House Bill No. 15.
An act creating a State Board of Equalization, prescribing its duties, and certain County Officers

Following Resolution was introduced by Boardman.
Resolved
That the Sergeant at Arms be instructed to procure a suitable Clock for the use of this House.

On motion of Stebbins the Resolution was adopted.

House Bill No. 13 was read 1st and 2nd times, and referred to Committee on Education and Labor.

House Bill No 14 was read 1st and 2nd times, and referred to Committee on Judiciary and Federal Relations.

House Bill No. 15 was read 1st and 2nd times and referred to Committee on Ways and Means.

Greenough moved that when the House adjourn it be to meet at 8. o'clock P.M. on Monday January 13th

Norton moved to amend by making the hour 10 A.M. Monday January 13th.

On demand of Loud the ayes and nays were taken on the amendment, resulting as follows

Ayes.- Dony, Goodman, Harrington, Howey, Hastie, Loud, Lochray, Moran, Monteath, Norton, Roberts, Stebbins, Thompson, Wing and Mr. Speaker. Total 15.

Nays.- Boardman, Blair, Blake, Bray, Dolman, Galen, Greenough, Harlan, Holter, Hoffman, Newcomer, Phillips and Waite. Total 13

Absent.- Howey and Mitchell. Total 2

The Speaker announced that the motion as amended by Norton was carried.

On motion of Thompson a recess was taken until 2 PM.

2 PM.

House resumed: Mr. Speaker in the chair. Roll called; quorum present. Absent on leave, Horsky.

Following report of House members of Joint Committee on Rules was received.

Mr Speaker,

Your Committee on Joint Rules of the Senate and House of Representatives respectfully report the following Joint Rules, and recommend their adoption.

Boardman
Acting Chairman.

Joint Rules of the Senate and House of Representatives.

No. 1. The Chamber of the Senate and the Hall of the House of Representatives shall be open from 8 o'clock A.M. until 11 o'clock P.M. of each day during the Sessions, unless by resolution of the Senate, its Chamber, or by resolution of the House, its Hall shall be closed.

No. 2. The presiding officer of each House, and, subject to his directions, the Sergeant at Arms of each House, shall have general supervision and control of the rooms in which such House may meet, and shall see that his assistants perform their several duties and he shall be responsible for all property left therein belonging to the State and the members respectively.

No. 3. The Doorkeepers, at all times when the rooms of the House, or either of them, are opened, shall be at their posts and shall admit no person upon the floor not privileged thereto.

No. 4. The title of every Bill shall briefly state its general object, and every bill shall be numbered by the Clerk, and the title thereof, and the name of the member or Committee introducing the same shall be endorsed thereon.

No. 5. Messages shall be transmitted between the two Houses by the Sergeant at Arms, or his assistants, or by such other officer of either House as it may designate; which messages shall keep each House informed with promptness of all notices given and bills introduced, and of the general condition and state of business of the other.

No. 6. Upon the presentation of an enrolled bill by the Enrolling Committee of either House to the presiding officer for his signature thereto, he shall rise in his place and give notice that he is about to sign the same, giving the title thereof; whereupon, if any member shall signify his desire so to do, he shall be permitted to examine the same, but no objections to the presiding officer's signing the same shall be of any avail, if the same conforms to the engrossed bill as it passed both Houses.

No. 7. The Enrolling and Engrossing Clerks of the two Houses, under the direction of the presiding officer of each House respectively, when not engaged on enrolling or engrossing bills, shall assist the several select or standing committees.

No. 8. The Journal of each House shall give the title and number of each bill, joint resolution or memorial; but the second and all subsequent reference shall be complete when referred to by its number.

No. 9. In every case of disagreement between the two Houses, if either House requests a conference and appoints a Committee for that purpose, the other House shall appoint a committee to confer therewith upon the subject of their disagreement, and such Committee shall be composed of members who voted in the majority on the points of difference. They shall meet at a convenient time to be agreed upon by their Chairmen, and having conferred freely, each shall report to their respective Houses, the result of their conference

No. 10. When a message shall be sent from either House to the other, it shall be announced at the door of the House to which it is sent by the Sergeant at Arms, or in his absence the Doorkeeper thereof, and shall be respectfully communicated to the presiding officer by the person by whom it is sent.

No. 11. When a bill has passed both Houses it shall be duly enrolled by the Enrolling Clerk of the House in which it originated and the fact of its origin shall be certified by the endorsement of the Clerk thereof.

No. 12. Enrollment. When bills are enrolled they shall be examined by a joint Committee of two from the Senate and three from the House, appointed as a Standing Committee for that purpose, who shall carefully compare the enrollment with the engrossed bills as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bills, make their report forthwith to their respective Houses.

No. 13. Each Enrolled bill shall be signed first by the Speaker of the House of Representatives and then by the President of the Senate, in the presence of their respective Houses while in session.

No. 14. After the bill shall have been signed in each House, it shall be presented by the joint committee of enrollment to the Governor for his approval taking his receipt therefor, and said Committee shall report forthwith to their respective Houses the day and hour of presentation, which shall be entered upon the Journals of each House.

No. 15. All memorials to Congress, or to any officer or other authority of the government, after they shall have passed both Houses, shall be carefully enrolled, signed by the Speaker of the House of Representatives and President of the Senate, and shall be transmitted by the Chief Clerk of the House in which they originated to the President of the Senate, the Speaker of the House of Representatives, or to the authority memorialized, and a copy to our Senators and Representative in Congress.

No. 16. When any bill, joint resolution or memorial which shall have passed in one House is rejected in the other, notice of said rejection shall be given to the House which has passed the same.

No. 17. When any bill, resolution or memorial which shall have passed one House is rejected in the other, it shall not again be introduced during the session without five days notice and consent of two-thirds of the members voting thereon.

No. 18. Each House shall transmit to the other, with any bill, resolution or memorial, all papers upon which the same may be founded.

No. 19. When each House shall have adhered to their disagreement, a bill or resolution is lost.

No. 20. When any bill, memorial or resolution is ordered to be printed, a sufficient number of copies shall be printed for the use of both Houses, and the quota for each House delivered to its Sergeant at Arms.

No. 21. It shall be the duties of the Chief Clerks of the House of Representatives and of the Senate, when any document is ordered to be printed in their respective Houses, forthwith to communicate such order to the other House.

No. 22. Whenever a joint resolution or memorial shall have passed both Houses of the Legislative Assembly an enrolled copy thereof, duly signed by the Speaker of the House of Representatives and the President of the Senate shall be filed in the office of the Secretary of State by the Chief Clerk of the House in which the same originated.

On motion of Waite the House proceeded at once to the consideration of the report of Committee on Joint Rules.

The Rules having been considered Section by Section, on motion of Bray were adopted as reported by the Committee.

Following resolution was introduced by Goodman.

Resolved:

That when members of the House are absent without leave (except in case of sickness) they shall forfeit one days salary for each offense, the same to be noted on the Journal and be deducted by the Chief Clerk when making out certificates of service to the Auditor.

A vote of two-thirds is required to remit a fine.

The ayes and nays were called for resulting as follows.

Ayes.- Bray, Greenough, Goodman, Harlan, Harrington, Howey, Hastie, Lamb, Lochray, Moran, Norton, Newcomer, and Mr. Speaker. Total 13.

Nays.- Boardman, Blair, Blake, Dorr, Eaton, Holter, Hoffman, Mitchell, Monteath, Phillips, Roberts, Stebbins, Thompson, Wing and Waite. Total 15.

Absent.- Dolman and Horsky. Total 2.

The Speaker announced that the resolution was lost.

Hastie moved to adjourn.

Greenough moved to amend by making the hour 10 a.m. Monday, January 13th

The ayes and nays were demanded on the amendment, resulting as follows.

Ayes:- Boardman, Blair, Dow, Dolman, Eaton, Greenough, Goodman, Harlan, Lochray, Mitchell, Monteath, Phillips, Roberts, Thompson. Total 14.

Nays. Blake, Bray, Harrington, Howey, Hastie, Holter, Hoffman, Lamb, McLain, Norton, Newcomer, Stebbins, Wing, Waite and Mr. Speaker. Total 15.

Absent:- Horsley. Total 1

The Speaker announced the amendment lost.

By consent of the House Messrs. Lochray and Monteath were excused until Monday January 13th.

The motion to adjourn having been put was carried and House adjourned.

Aaron C. Britton
Speaker

Benjamin Webster
Chief Clerk

50th day.

House of Representatives,
State of Montana,
Helena, January 11th 1890

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called: no quorum present.

Absent on leave:- Monteath.

Absent without leave:- Boardman, Blair, Blake, Cary, Dolman, Greenough, Goodman, Harlan, Mitchell and Phillips.

On motion of Norton House adjourned.

Aaron C. Smith
Speaker

Benjamin Sebastian
Chief Clerk.

52nd day.

House of Representatives.
State of Montana.
Helena, January 13th 1890.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called:- no quorum present.

Absent:- Boardman, Dolman, Harlan, Hoffman, Blake, Blair, Lochray, Thompson and Waite.

On motion of Bray a recess was taken until 3 P.M.

3 P.M.

House resumed:- Mr Speaker in the chair.

Roll called:- no quorum present.

Absent:- Boardman, Blair, Blake, Dolman, Eaton, Greenough, Harlan and Thompson.

Mr. Monteath was excused for the following day.

On motion of Bray House adjourned.

Aaron C. Britton
Speaker

Benjamin Roberts
Chief Clerk.

53rd day.

House of Representatives,
State of Montana,
Helena, January 14th 1890.

House met pursuant to adjournment.
Mr. Speaker in the Chair.

Roll called:- no quorum present
Absent on leave, Monteath.
Absent:- Boardman, Blair, Blake, Greenough and Harlan.

On motion of Bray House took a recess until 3 P.M.

3 P.M.

House resumed:- Mr. Speaker in the chair.

Roll called:- quorum present. Absent Blake.

Journals of the 49th, 50th and 52nd days read and approved.

By consent of the House, Rules were suspended and the reading of that portion of the Journal of the 49th day containing report of House members on Joint Rules was omitted.

Following reports were received.

Mr. Speaker,

Your Committee on State affairs to whom was referred House Bill No. 10, being an act fixing the number, compensation and duties of the employes of the Senate and House of Representatives beg leave to report the same with amendments, and recommend that as amended the bill do pass.

Perry Chmn.

Mr. Speaker,

Your Committee on Privileges and Elections, to whom was referred House Bill No. 11, having had the same under consideration, beg leave to report the same back with the recommendation that it do pass as amended.

Harrington Chmn.

House Bills Nos. 10 and 11 together with amendments recommended by the Committees were referred to the Committee on Printing and ordered printed.

Following notices of Bills were given.

By Howey:

Mr. Speaker:- I hereby give notice that on tomorrow or on some future day, I will introduce a bill for an act to establish a Reform School for Juvenile offenders and to provide for its management.

By Howey:-

Mr. Speaker:- I hereby give notice that on tomorrow or some subsequent day I will introduce a bill for an act to provide for the control, leasing and sale of the Public School Lands.

The following Bills were introduced.

By Stebbins:

House Bill No. 16

An act to prohibit minors and other persons from climbing, clinging, jumping, stepping or otherwise attaching themselves to Rail Road trains, and providing penalties for its infringement.

By Doty:-

House Bill No. 17.

An act to amend Sections 5, 6 and 11 of an act entitled an act to provide for the registration of the names of Electors and to prevent fraud at elections, approved March 8th 1889.

The following resolution was introduced by Moran.

Resolved:

From and after the adoption of this resolution, any member of the House of Representatives who shall absent himself without leave (except in case of sickness or circumstances over which he has no control) shall be fined ten dollars for each offense, the same to be noted on the Journal of the House, and the Clerk shall deduct said amount from the certificate of service and mileage to the State Auditor, such fines to be covered into the general fund of the State.

A two-thirds vote shall be required to remit a fine.

The Speaker of the House is hereby requested to enforce the above order.

Loud moved that the resolution be adopted.

Boardman moved that the resolution be laid on the table.

The ayes and nays were demanded, resulting as follows.
Ayes.- Boardman, Blair, Dorry, Dolman, Eaton, Greenough, Harlan, Hosley, Holter, Hoffman, Mitchell, Monteath, and Phillips. Total, 13.

Nays.- Bray, Goodman, Harrington, Howey, Hastie, Lund, Lochray, Moran, Norton, Newcomer, Roberts, Stebbins, Thompson, Wing, Waite, and Mr. Speaker. Total 16.

Absent.- Blake. Total 1.

The Speaker announced that the motion to lay on the table was lost.

Phillips moved to amend the resolution by striking out the words "ten dollars for each offense" and substituting in lieu thereof the words "six dollars per day for each days absence".

Motion adopted.

Lund moved that the resolution as amended, be adopted.

The ayes and nays were demanded, resulting as follows.
Ayes.- Bray, Dorry, Greenough, Harlan, Harrington, Howey, Hastie, Hosley, Holter, Hoffman, Lund, Lochray, Moran, Norton, Newcomer, Phillips, Stebbins, Thompson, Wing, Waite and Mr. Speaker. Total 21.

Nays.- Boardman, Blair, Dolman, Eaton, Goodman, Mitchell, Monteath, and Roberts. Total 8.

Absent.- Blake. Total 1.

The Speaker announced that the resolution was adopted.

House Bill No. 16 was read 1st and 2nd times and refered to the Committee on Judiciary and Federal Relations.

House Bill No. 17 was read 1st and 2nd times and refered to the Committee on Privileges and Elections.

On motion of Norton House adjourned

Aaron C Smith
Speaker

Benjamin [redacted]
Chief Clerk

House of Representatives.
State of Montana,
Helena, January 15th 1890

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called: quorum present. Absent on leave, Blake.

Prayer by the Chaplain.

Journal of the 53rd day read and approved.

Following notices of Bills were given.

Mr Speaker.

I hereby give notice that I will on tomorrow or some subsequent day introduce a bill to provide for the Incorporation, Maintenance, Management and support of a School of Mines to be located in Silver Bow County, Montana.

Dolman

By Holter.

Mr. Speaker:- I hereby give notice that I will on tomorrow or some subsequent day introduce a bill concerning taxation of Mortgages.

Following bill was introduced.

By Norton:- House Bill No. 18.

An act entitled an act to amend Section 1880 of the School Laws of Montana, in relation to publishing notices, and the qualifications of electors at School Elections.

On motion of Thompson, Geo. M. Bleecker was appointed by the Speaker Clerk to the Committee on Judiciary and Federal Relations.

Following resolution was introduced by Goodman.

Be it resolved:- That all members who were absent previous to 3 o'clock P.M. on January 14th be excused.

On motion of Norton resolution was adopted.

House Bill No. 18 was read 1st and 2nd times and referred to Committee on Education and Labor.

On motion of Norton a recess was taken until 2.30 PM

2.30 PM.

House resumed:- Mr. Speaker in the chair.

Roll called: quorum present. Absent on leave Blake, Monteath.

Following resolution was introduced by Boardman.

Resolved:-

That the Speaker dispense with the services of any and all employes now in the service of this House, who in his judgement are incompetent or unnecessary for the performance of the work now before this Assembly.

On motion of Loud resolution was adopted.

On motion of Boardman House adjourned.

Aaron L. Britton
Speaker

Benjamin Webster
Chief Clerk

55th day.

House of Representatives
State of Montana,
Helena, January 16th 1890.

House met pursuant to adjournment.
Mr. Speaker in the chair. Roll called: all members present.
Prayer by the Chaplain.
Journal of the 54th day read and approved.

Following report was received.
Mr. Speaker.

Your Committee on Privileges and Elections to whom House Bill No. 3 was referred, having had the same under consideration beg leave to report the same back, recommending that the same do not pass.

Harrington Chmn.

House Bill No. 3 together with the report of the Committee was placed on General Orders.

Following notice of bills was given.
By Monteath.

Mr. Speaker; I hereby give notice that on some future day I will introduce a bill providing for elections of voluntary political associations and to punish frauds thereat.

Also a bill governing primary elections.

Following Bill was introduced.

By Howey: House Bill No. 19 A bill for an act to establish a State Reform School and to provide for its management.

Following resolution was introduced by Lamb.
Whereas:- An article appearing in the columns of the Helena Independent of January 16th which reflects upon the integrity of some of the members of this House.- now be it resolved:-

That the reporter of this paper shall be excluded from this Hall until a suitable apology is made to such members.

Moran moved that the resolution be adopted.

Goodman moved that the resolution be laid on the table.
Motion carried.

House Bill No 19 was read 1st and 2nd times, and referred to Committee on Education and Labor.

On motion of Thompson House adjourned.

Aaron L. Ashley
Speaker

Benjamin Roebuck
Chief Clerk

56th day.

House of Representatives,
State of Montana,
Helena, Janiy. 17th 1890.

House met pursuant to adjournment.
Mr. Speaker in the Chair.
Roll called: quorum present.
Absent on leave, Montieth.

Prayer by the Chaplain.

Journal of the 55th day read and approved.

Following report was received

Mr. Speaker,

Your Committee on Printing would respectfully report House Bills No. 10 and 11 as correctly printed.

Montieth Chmn.

House Bills No. 10 and 11 were placed on General Orders.

Gray moved that when the House adjourn it be to meet at 8 P.M. Monday January 20th

Motion carried.

On motion of Harlan House resolved itself into the Committee of the Whole, to consider General Orders.- Mr. Stebbins in the Chair.

11.45 A.M.

House resumed. Mr. Speaker in the Chair.

The Chairman of the Committee of the Whole reported that it had had under consideration House Bill No. 11, reported progress, and asked leave to sit again.

Following communication from the Senate was received.

Senate, Chamber,
Helena, Mont. 16th Jainy. 1890

Mr. Speaker,

I am directed by the Senate to inform your Honorable body that the following notices of the introduction of bills have been given.

By Hedges: "An act for the protection of the title to School Lands"

By Hedges, "An act to provide for the publication of the Supreme Court Reports."

Respectfully Submitted
Frederick Gilbert
Sec - t

Upon a call of the roll it was found that a quorum was not present.

Boardman moved that a recess of 10 minutes be taken.
Motion lost.

Harlan moved that a recess until 2 P.M. be taken.
Motion lost.

Bray moved that the House adjourn.
Motion lost.

On motion of Howey a call of the House was made.
Absent, Bray, Eaton, Monteath and Waite.

Messrs. Eaton and Monteath were excused, and the Sergeant at Arms was directed to bring to the House, Messrs. Bray and Waite.

The Sergeant at Arms having reported that he was unable to find the absent members, on motion of Lamb, the House adjourned.

Aaron C. Shutter
Speaker.

Benjamin Nichols
Chief Clerk

59th day

House of Representatives,
State of Montana,
Helena, January 20th 1890

House met pursuant to adjournment.
Mr. Speaker in the chair.
Roll called; quorum present. Absent Hoffman.
Prayer by the Chaplain.

Journal of the 58th day read and approved.

Following reports were received.

Mr. Speaker.

Your Committee on Judiciary and Federal Relations to whom was referred House Bill No 6. being a bill for an act providing for the submission to the qualified electors of the State an amendment to the Constitution, fixing the terms of County Commissioners", having had the same under due consideration, beg leave to report the same back with amendments, and recommend that as amended it do pass.

Dolman
Chairman

House Bill No. 6 with amendments was referred to Committee on Printing, and ordered printed.

Mr. Speaker.

Your Committee on Education and Labor to whom was referred House Bill No. 13 would beg to report that they have had the same under consideration and recommend that it do pass, as amended.

Nolan
Chairman

House Bill No. 13 with amendments was referred to Committee on Printing and ordered printed.

Norton moved that the House resolve itself into the Committee of the Whole to consider House Bill No. 11
Motion lost.

On motion of Stebbins House adjourned.

Aaron L Britton
Speaker

Benjamin Roberts
Chief Clerk

60th day

House of Representatives.
State of Montana.
Helena, January 21st 1890

House met pursuant to adjournment.
Mr. Speaker in the Chair.

Roll called: quorum present. Absent Hoffman.
Prayer by the Chaplain.

Journal of the 59th day read and approved.

Following report was received.

Mr. Speaker!

Your Committee on Privileges and Elections to whom was referred House Bill No. 17, having had the same under consideration beg leave to report the same back with recommendation that it do pass, with the amendments herewith transmitted.

Harrington
Chm.

House Bill No. 17 with amendments of the Committee on Privileges and Elections was referred to the Committee on Printing and ordered printed.

Following notice of introduction of a bill was given.

By Stebbins.

Mr. Speaker.

I hereby give notice that I will on tomorrow or on some subsequent day introduce a bill to establish an institution of learning at the City of Livingston, in the County of Park, this State, under the name and style of the University of Montana.

Following bills were introduced.

By Monteath:- House Bill No. 20.

An act to regulate primary elections of voluntary political associations and to punish frauds therein.

By Monteath:- House Bill No. 21.

An act to prevent and punish illegal voting at Primary Elections.

House Bills Nos. 20 and 21 were read 1st and 2nd times and referred to Committee on Privileges and Elections.

The following resolution was introduced by Boardman.

Resolved:-

That as the City of Chicago possesses all the essential facilities for a World's Exposition, and is noted for her energy and Enterprise, this body in session assembled hereby expresses its decided preference for that City as the location of said Exposition, and be it further

Resolved:-

That a copy of these resolutions be transmitted to our Congressman with a request that he use his influence and vote towards locating the World's Fair at Chicago

Cary moved that the resolution be adopted.

Phillipps moved that the resolution be laid on the table.

Motion lost.

Norton moved that the resolution be referred to a Standing Committee

On motion of Holter further consideration of the resolution was indefinitely postponed.

On motion of Harlan the House resolved itself into the Committee of the Whole to consider House Bill No. 11 Mr. Stebbins in the chair.

11.50 A.M.

House resumed; Mr. Speaker in the chair.

The Chairman of the Committee of the Whole, reported that they had had under consideration House Bill No. 11 reported progress and asked leave to sit again

On motion of Goodman a recess was taken until 2 P.M.

2 P.M.

House resumed: Mr. Speaker in the chair.
Roll called, all members present.

By consent of the House Mr. Bray was excused until Thursdays session.

On motion of Goodman, Hoffman was excused for absence from the morning session and that of the previous day.

The House resolved itself into the Committee of the Whole for further consideration of House Bill No. 11 Mr. Stebbins in the chair.

2.45 P.M.

House resumed. Mr. Speaker in the chair.

The following report was received.

Mr Speaker.

Your Committee of the Whole beg leave to report that they have had under consideration House Bill No. 11 and report the same back with the recommendation that it be re-referred to the Committee on Privileges and Elections.

Stebbins
Chmn.

On motion of Doty report was adopted and House Bill No. 11 was so referred.

Greenough moved that the House adjourn.
Motion lost.

Doty moved that the House resolve itself into the Committee of the Whole to consider General Orders.
Motion lost.

Stebbins moved to adjourn. Motion lost.

Norton moved that the House resolve itself into the Committee of the Whole to consider General Orders.

The Ayes and Nays were demanded resulting as follows.

Ayes:- Boardman, Blair, ~~Doty~~, Goodman, Harlan, Hosley, Hoffman, Lamb, Moran, Norton, Phillips, Roberts, Thompson, Wing and Mr. Speaker. Total 15

Nays:- Blake, Dolman, Eaton, Greenough, Harrington, Howey, Hastie, Holler, Lochray, Mitchell, Monteath, Newcomer, Stebbins and Waite. Total 14.

Absent:- Bray Total 1

The Speaker announced that the motion was carried.- pursuant to which the House resolved itself into the Committee of the Whole:-

Mr. Waite in the chair.

3.10 P.M.

House resumed:- Mr. Speaker in the chair.

Following report was received.

Mr. Speaker:-

Your Committee of the Whole has had under consideration House Bill No. 3 respectfully report the same back with a substitute and recommend that the bill, together with the substitute, be re-referred to the standing Committee on Privileges and Elections.

Waite
Chairman.

On motion of Norton report was adopted and House Bill No. 3, with substitute, was re-referred to Committee on Privileges and Elections.

Monteath moved that when the House adjourn it be to meet at 2 P.M. Thursday January 23rd.

On demand of Loud the Ayes and Nays were called resulting as follows.

Ayes:- Blake, Monteath. Total 2

Nays:- Boardman, Blair, Doty, Dolman, Eaton, Greenough, Goodman, Harlan, Harrington, Howey, Hastie, Hovey, Holler, Hoffman, Loud, Lochrey, Mitchell, Moran, Norton, Newcomer, Phillips, Roberts, Stebbins, Thompson, Wing, Waite and Mr. Speaker. Total 27

Absent:- Bray. Total 1

The Speaker announced that the motion was lost.

On motion of Thompson House adjourned.

Hazen S. Britton
Speaker

Benjamin Wheeler
Chief Clerk.

61st day.

House of Representatives,
State of Montana,
Helena, January 22d 1890

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called: quorum present. Absent, on leave, Bray.
Prayer by the Chaplain.

Journal of the 60th day read and approved.

Following reports were received.

Mr. Speaker.

Your Committee on Privileges and Elections to whom was referred House Bill No. 3, having had the same under consideration beg leave to report the same back with the recommendation that it do pass.

Harrington
Chm.

Mr Speaker.-

Your Committee on Privileges and Elections to whom was referred House Bill No. 21 having had the same under consideration beg leave to report the same back with the recommendation that it do pass with the amendments herewith transmitted.

Harrington
Chm.

Mr. Speaker:-

Your Committee on Privileges and Elections to whom was referred House Bill No. 11 beg leave to report the same back with the recommendation that the same be referred to the Committee on Judiciary and Federal Relations.

Harrington
Chm.

Mr Speaker:-

Your Committee to whom was referred House Bill No. 18 "An act entitled an act to amend Section 1880 of the School Law of Montana in relation to publishing notices and the qualifications of Electors at School Elections" would report that they have had the same under consideration, and would recommend that it do pass.

Hovey
Chm.

Mr. Speaker:

Your Committee to whom was referred House Bill No. 19 "A bill for an act to establish a State Reform School and to provide for its management" would beg to report that they had the same under consideration and recommend that it do pass with the amendments herewith transmitted.

Harney Chmn.

Mr. Speaker:-

Your Committee on Judiciary and Federal Relations, to whom was referred House Bill No. 14 being a bill "To provide a Seal for the State of Montana and defining its custody" having had the same under due consideration, beg leave to report the same back with amendments, and recommend that it do pass as amended.

Dolman Chmn.

On motion of Goodman House Bill No. 3 together with substitute, was referd to the Committee on Printing and Substitute ordered printed.

House Bill No. 21 with amendments of the Committee on Privileges and Elections was referd to the Committee on Printing and ordered printed.

Loud moved that the report of the Committee on Privileges and Elections on House Bill No. 11 be rejected, and that further consideration of the bill be indefinitely postponed.

Motion lost.

On motion of Thompson the report of the Committee on Privileges and Elections relating to House Bill No. 11 was adopted, and House Bill No. 11 was referd to the Committee on Judiciary and Federal Relations.

House Bill No. 19 with amendments of the Committee on Education and Labor was referd to the Committee on Printing and ordered printed.

House Bill No. 14 together with the amendments of the Committee on Judiciary and Federal Relations was referd to the Committee on Printing and ordered printed.

House Bill No. 18 was referred to the Committee on Printing and ordered printed.

Following notices of the introduction of bills were given.

By Norton:-

Mr. Speaker:- I hereby give notice that I will on tomorrow or some subsequent day of the session, introduce a bill providing for the maintenance of the States Prisons.

By Norton:-

Mr. Speaker:- I hereby give notice that on tomorrow or some subsequent day of the Session, I will introduce a bill providing for a Warden and other attaches of the State Penetentiary.

On motion of Goodman House resolved itself into the Committee of the Whole, to consider General Orders, Mr Goodman in the chair.

12 M.

House resumed: Mr. Speaker in the chair.

The Chairman of the Committee of the Whole was granted time to report.

Monteath moved that Mr. Harrington be excused from the Sessions of the rest of the week.

Motion lost.

On motion of Hastie a recess was taken until 2 P.M.

2. P.M.

House resumed: Mr. Speaker in the chair.

Roll called: quorum present. Absent on leave, Bray.

On motion of Doty a recess of 20 minutes was taken.

2.20 P.M.

House resumed. Mr. Speaker in the chair.

On motion of Loud a call of the House was made.

Absent, on leave, Bray. Absent Eaton, Harrington and Stebbins.

The Sergeant at Arms was directed to bring in the absentees.

The Sergeant at Arms reported the presence of the absentees on the floor of the House

On motion of Loud further proceedings under the call were dispensed with.

The following report was received.

Mr. Speaker:

Your Committee of the Whole having had under consideration House Bill No 10 beg leave to report the same back to the House with the amendments herewith transmitted and recommend that the same do pass as printed and amended.

Goodman Chairman

Loud moved that the Rules be suspended, the report be received and that the amendments of the Committee of the Whole be considered separately, subject to amendment

Stebbins moved to amend by adopting the report.

Amendment lost.

Original motion carried.

Section 1 of the bill was read, together with the amendments of the Committee of the Whole, and on motion of Stebbins that portion of the report relating to Section 1 was adopted.

Section 2 of the bill, together with the amendments of the Committee of the Whole, was read, and on motion of Harlow that portion of the report relating to Section 2 was adopted.

Section 3 of the bill, together with the amendments of the Committee of the Whole, was read, and on motion of Horsky that portion of the report relating to Section 3 was adopted.

Section 4 of the bill, together with the amendments of the Committee of the Whole, was read.

Howey moved that the report be amended by adding thereto the following:- "amend Section 7 line 23 of printed bill, by striking out the word "seven" and inserting in lieu there of the word "eight" "

Motion carried.

Boardman moved to amend the report by striking out the words "four dollars" and inserting in lieu thereof the words "three dollars".

On demand of Howey the Ayes and Nays were called, resulting as follows.

Ayes:- Boardman, Blair, Eaton, Goodman, Harlan, Monteath, Norton, Phillips, Stebbins, Thompson, Wing and Mr. Speaker.

Total 12.

Nays:- Blake, Carey, Dolman, Greenough, Harrington, Howey, Hastie, Horsky, Holter, Hoffman, Loud, Lochray, Mitchell, Moran, Newcomer, Roberts, and Waite.

Total 17.

Absent:- Bray. Total 1.

The chair announced that the motion was lost.

Hastie moved that the report of the Committee of the Whole be amended by adding thereto the following.

Mr. Speaker:-

Strike out all of Section 7 after the word "each" in line 26 and substitute in lieu thereof the following:- "Provided however, that in case two or more offices are held by one person he shall only be entitled to and receive the pay allowed by this act for the highest office which he may hold."

Motion carried.

Eaton moved that the report of the Committee be amended by adding thereto the following:- "amend Section 7 line 22 by striking out the word "ten" after the word "receive" and insert in lieu there of the word "eight." "

Motion lost.

Stebbins moved that the report be amended by striking out the words "four dollars" in amendment to Section 7 and insert in lieu thereof the words "two dollars and fifty cents."

Motion lost.

Phillips moved that the report be amended by striking out in the amendments to Section 7 the words "four dollars" and inserting in lieu the words "two dollars," also by adding to the same the following:-

"Strike out <in printed bill> line 28 the words "three dollars" after the word "pages", and insert in lieu thereof the words "five dollars." "

Boardman moved that the amendment be laid on the table, which motion was lost.

The motion of Phillips having been put was lost.

Stebbins moved to adjourn. Motion lost.

Loud moved that that portion of the report of the Committee relating to Section 7 as amended by the House be adopted.

Motion carried.

Section 8 was read together with the amendments of the Committee of the Whole.

Norton moved that that portion of the report relating to Section 8 be amended by adding thereto the following:- "Amend Section 8 line 32 of printed bill by striking out the word "seven" and inserting in lieu thereof the word "eight."

Motion carried.

On motion of Norton that portion of the report relating to Section 8 as amended by the House, was adopted.

House Bill No. 10 as amended by the Committee of the Whole, was refered to the Committee on Engrossment and ordered engrossed.

Following report of Committee on Printing was received.

Mr. Speaker:-

Your Committee on Printing would respectfully report House Bill No. 6 as correctly printed.

Monteath

Chmn

House Bill No. 6 was placed on General Orders.

On motion of Goodman the House resolved itself into the Committee of the Whole to consider General Orders. Mr. Eaton in the chair.

3.55 P.M.

House resumed:- Mr. Speaker in the chair.

The Chairman of the Committee of the Whole reported that they had had under consideration House Bill No. 6, reported progress and asked leave to sit again.

On motion of Dory House adjourned.

Aaron C Knittle
Speaker

Benjamin Schlotte
Chief Clerk

62nd day

House of Representatives,
State of Montana,
Helena, January 23d, 1890.

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called: quorum present. Absent Messrs. Bray and Harrington.

By consent of the House Messrs. Bray and Harrington were excused.

Prayer by the Chaplain

Journal of the 61st day read and approved.

The following reports were received.

Mr. Speaker:-

Your Committee on Judiciary and Federal Relations to whom was referred House Bill No. 16 having given the same due consideration beg leave to report the same back and recommend that it do not pass.

Dolman Chm'n

Mr. Speaker:-

Your Committee on Public Lands to whom House Joint Memorial No. 2 was referred have considered the same and report it back accompanied by the following substitute which we recommend do pass.

Land Chm'n

Mr. Speaker:-

Your Committee on Printing would respectfully report House Bill No. 13 as correctly printed.

Monteath Chm'n

House Bill No. 16 together with the report of the Committee on Judiciary and Federal Relations was placed on Gen'l. Orders.

House Joint Memorial No. 2 together with substitute recommended by the Committee on Public Lands, on motion of Thompson was referred to Committee on Printing, and substitute ordered printed.

House Bill No. 13 was placed on Genl. Orders.

Following notices of introduction of bills were given

By Harlan:-

Mr. Speaker:- I hereby give notice that I will on tomorrow or some subsequent day introduce a bill for an act amending an act entitled an act for the better protection of game and fish. approved Feby. 28th 1889.

By Howey:-

Mr. Speaker:- I give notice that on tomorrow or on some subsequent day, I will introduce a bill to amend Sections 1236, 1237 and 1238 of the Fifth Division of the Compiled Statutes of Montana fixing the legal rate of interest at seven per centum per annum.

By Howey:-

Mr. Speaker:- I give notice that on tomorrow or on some future day of this Session I will introduce a bill to provide for a commission to select a site for an Insane Asylum.

By Howey:-

Mr. Speaker:- I will on some future day of this Session introduce a bill authorizing Trustees of Free Public Libraries to borrow money for the purpose of leasing or purchasing ground and erecting and furnishing suitable Library Buildings.

By consent of the House Boardman introduced the following House Memorial.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

We, your memorialists, the House of Representatives of the Legislative Assembly of the State of Montana respectfully represent:-

That they regard the City of Chicago as the most desirable and convenient place for the people of the United States for the World's Fair, in the year 1892.

Wherefore we your memorialists respectfully petition your Honorable bodies to select and designate the City of Chicago as the place for such World's Fair.

Following bill was introduced.

By Harvey:- House Bill No. 22
A bill for an act to fix the length of the legal working day at Eight hours.

House Memorial was read at length.

Phillipp moved that the memorial be laid on the table.
Motion lost.

Norton moved that House Memorial be referred to a Standing Committee.

Motion carried:- pursuant to which the chair referred the Memorial to the Committee on State Affairs.

House Bill No. 22 was read 1st and 2nd times, and referred to the Committee on Education and Labor.

Roberts moved that a recess be taken until 2 P.M.
Motion lost.

The House resolved itself into the Committee of the Whole to consider General Orders:- Mr. Eaton in the Chair.

11:15 A.M.

House resumed. Mr. Speaker in the chair.
Following report was received.

Mr. Speaker:-

Your Committee of the Whole have had under consideration House Bill No. 16 and report the same back with the recommendation that it be referred to the Committee on Printing and ordered printed.

Also, that they have considered House Bill No. 6 and report it back with the recommendation that the same be laid on the table.

Also that they have considered House Bill No. 13 and report progress on same and ask leave to sit again.

Eaton
Chairman

On motion of Norton report in full was adopted:- pursuant to which House Bill No. 16 was referred to Committee on Printing and ordered printed, and House Bill No. 6 was laid on the table.

On motion of Norton a recess until 3 P.M. was taken.

3 P.M.

House resumed:- Mr. Speaker in the chair.

Roll called:- quorum present:- absent on leave Harrington.

Following report was received.

Mr. Speaker:-

Your Committee on State Affairs to whom was referred House Memorial relative to the location of the Worlds Fair, would respectfully report the same back with the following Substitute and recommendation that the substitute, be adopted, and that a copy be transmitted to our Representative, in Congress.

To the Honorable the Senate and House of Representatives of the United States in Congress Assembled.

We, your memorialists, the House of Representatives of the Legislative Assembly of the State of Montana respectfully represent:-

That, in the judgement of this body, the City of Chicago is the most desirable and convenient place for the holding of the Worlds Fair in the year 1892.

Wherefore we, your memorialists respectfully petition your Honorable bodies to select and designate the City of Chicago as the place for such Worlds Fair.

Dony
Chairman

Horsky moved that the report be adopted.

The Ayes and Nays were demanded resulting as follows.

Ayes:- Boardman, Blake, Bray, Dony, Greenough, Goodman, Harlan, Howey, Horsky, Hoffman, Lund, Lochray, Mitchell, Moran, Monteath, Norton, Newcomer, Roberts, Thompson, Wing and Mr. Speaker.

Total 21.

Nays:- Dolman, Eaton, Hadlie, Holter, Phillips, Stebbins and Waite.

Total 7

Absent:- Blair and Harrington Total 2.

The Speaker announced that the report was adopted, pursuant to which the Chief Clerk was instructed to transmit to the Hon. T. H. Carter a copy of the Memorial

The House resolved itself into the Committee of the Whole to consider House Bill No. 13. Mr. Eaton in the chair.

4.20 P.M.

House resumed:- Mr. Speaker in the chair.

The Chairman of the Committee of the Whole reported that they had had under consideration House Bill No. 13. reported progress, and asked leave to sit again.

On motion of Norton House adjourned.

Mason L Britton
Speaker

Benjamin Abbott
Chief Clerk

63rd day

House of Representatives,
State of Montana,
Helena, Janu. 24th 1890

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called:- quorum present- Absent Harrington & Newcomer.

Prayer by the Chaplain

Journal of the 62nd day read and approved.

On motion of Greenough Messrs. Harrington and Newcomer were excused from the session of the day.

Following report was received.

Mr. Speaker.

Your Committee on Printing would, respectfully report House Bills No's 14-17-18 and 21 and Substitute for House Bill No. 3 as correctly printed.

Monteath.
Chairman.

House Bills No's 14-17-18 and 21, and House Bill No. 3 together with Substitute were placed on General Orders

Following notice of the introduction of a bill was given.

By Hastie:-

Mr. Speaker:- I hereby give notice that I will on tomorrow or some subsequent day introduce a bill providing for the adjustment and payment for Right of Way and damages by irigating ditches.

Following bills were introduced.

By Norton:-

House Bill No. 23. An act entitled an act to provide for the maintenance of the States Prison.

By Harlan:-

House Bill No. 24. A bill for an act to amend an act entitled an act for the better protection of Game and Fish.

Howey moved that the vote by which House Memorial to Congress endorsing Chicago as the location of the World's Fair in the year 1892 be reconsidered.

On motion of Loud previous motion was laid on the table.

House Bill No. 23 was read 1st. and 2nd. times and refered to the Committee on Ways and Means.

House Bill No 24 was read 1st and 2nd. times and refered to the Committee on Towns, Counties and Highways.

Moran moved that the House resolve itself into the Committee of the Whole to consider House Bill No. 13 and substitute therefor.

Howey moved to amend by substituting House Bill No. 13 for House Bill No. 13.

Amendment carried.

Original motion as amended carried:- pursuant to which the House resolved itself into the Committee of the Whole to consider House Bill No. 13.

Mr. Eaton in the chair.

11 A.M.

House resumed.- Mr. Speaker in the chair.

The Chairman of the Committee of the Whole reported that they had had under consideration House Bill No. 13.- reported progress and asked leave to sit again.

Dary moved that when the House adjourn it be to meet on Monday January 27th at 8 o'clock P.M.

Motion carried.

On motion of Stebbins House adjourned.

Mason C Britton
Speaker

Benjamin Webster
Chief Clerk

66th day

House of Representatives,
State of Montana,
Helena, Janry 27th 1890

House met pursuant to adjournment.
Mr. Speaker in the Chair.

Roll called:- no quorum present.

Absent. Messrs. Blake, Blair, Harlan, Monteath and Mitchell.

On motion of Thompson. Monteath was excused.

On motion of Waite House adjourned.

Aaron L. Britton
Speaker

Benjamin Roberts
Chief Clerk

67th day

House of Representatives.
State of Montana.
Helena, Janiy. 28th 1890

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called: quorum present. Absent Harlan & Monteath.

Prayer by the Chaplain.

Journals of the 63rd and 66th days read and approved.

Following reports were received.

Mr. Speaker:-

Your Committee on Ways and Means to whom was refered House Bill No. 23 entitled an act to provide for the maintenance of the States Prison beg leave to report the same back with the recommendation that it do pass.

Holter
Chairman

Mr. Speaker:-

Your Committee on Mines and Minerals to whom was refered House Bill No. 12 being a bill for an act to amend Sections 1477-1478-1479-1483-1484-1485 and 1486 of the Fifth Division of the Compiled Statutes of Montana, relating to the location and recording of Mining Claims, having had the same under consideration beg leave to report the same back with accompanying amendments, and recommend that it do pass, as amended.

Eaton
Chairman

House Bill No. 23 was refered to the Committee on Printing and ordered printed.

House Bill No. 12 together with the amendments of the Committee on Mines and Minerals was refered to the Committee on Printing and ordered printed as amended.

By consent of the House the Committee on Ways and Means introduced without previous notice House Bill No. 25 entitled a bill for an act providing for the erection of an addition to the States Prison and the building of a wall around said States Prison and appropriating money to pay for the same.

By consent of the House Eaton introduced without previous notice House Joint Memorial No. 4, relating to the change of the boundary of the Yellowstone National Park.

House Bill No. 25 was read 1st and 2nd times and referred to the Committee on State Institutions and Public Buildings.

House Joint Memorial No. 4 was read 1st and 2nd times and referred to the Committee on Public Lands.

On motion of Doty the House resolved itself into the Committee of the Whole to consider House Bill No. 3 and substitute therefor. Mr. Waite in the chair.

11.30 AM.

House resumed:- Mr Speaker in the chair.

The Chairman of the Committee of the Whole reported that they had under consideration House Bill No. 3 and substitute, reported progress and asked leave to sit again.

On motion of Boardman a recess was taken until 2 P.M.

2 P.M.

House resumed:- Mr. Speaker in the chair.

Roll called:- quorum present. Absent Harlan & Monteath.

By consent of the House the following resolution was introduced by Stebbins.

Whereas:- The Constitution of the State of Montana provides for the election of fifty-five members of the House of Representatives, and

Whereas:- It appears from the Journal of this House that only 30 members have qualified and entered ~~and entered~~ upon the discharge of their duties, as provided by law, now therefore be it

Resolved:- That the Committee on Privileges and Elections are hereby instructed to report, with as little delay as possible the names of all the duly elected members of the House of Representatives of the First Legislative Assembly of the State of Montana that the same may be placed on the Roll.

On motion of Norton the resolution was referred to the Committee on Privileges and Elections.

The House resolved itself into the Committee of the Whole to consider House Bill No. 3 and substitute therefor.

2.10 P.M.

House resumed:- Mr. Speaker in the chair.

The following report was received.

Mr. Speaker:-

Your Committee of the Whole have had under consideration Substitute for House Bill No. 3. and report the same back with the recommendation that the substitute be referred to a Special Committee of five, this Committee to report at tomorrow's session.

Waite
Chairman

On motion of Loud the report was adopted:- pursuant to which the chair appointed as members of such Special Committee Messrs. Cary, Thompson, Loud, Howey and Goodman.

On motion of Howey House resolved itself into the Committee of the Whole to consider House Bill No. 17. Mr. Roberts in the chair.

3.30 P.M.

House resumed:- Mr Speaker in the chair.

The Chairman of the Committee of the Whole was granted time to report.

Howey moved that House Bill No. 13 be withdrawn from the General Order and referred to a Special Committee of 5. Motion carried:- pursuant to which the chair appointed Messrs. Howey, Stebbins, Hastie, Norton and Boardman as members of such Committee.

The following report was received.

Mr. Speaker.

Your Committee on Engrossment to whom was referred House Bill No. 10 concerning the number, duties and compensation of the Officers of the Senate and House of Representatives of the Legislative Assembly of Montana, respectfully report the same back correctly engrossed.

Phillips
Chairman

House Bill No. 10 was placed on Calendar for third reading

On motion of Bray the House adjourned.

Aaron C Wright
Speaker

Benjamin Brooks
Chief Clerk

House of Representatives.
State of Montana.
Helena, Janiy. 29th 1890

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called:- quorum present. Absent. Harlan. Monteath & Waite.

On motion of Thompson Monteath was excused for absence from yesterday's session and that of to-day.

On motion of Howey a call of the House was made.

Absent. Harlan and Waite.

Mr. Waite appearing on the floor of the House, on motion of Loud further proceedings under the call were dispensed with.

Prayer by the Chaplain.

Following communication from the Senate was received.

State of Montana,
Senate Chamber,
Helena, 28th Janiy 1890

To the Hon. House of Representatives.
Mr. Speaker:-

I am instructed by the Senate to inform your Hon. body that the following notices of the introduction of Bills have been given.

By Babcock:-

An act entitled an act to amend an act to provide for payment of monies belonging to the State Treasurer.

By Babcock:-

An act to amend an act entitled an act to authorize County Commissioners to issue Bonds to redeem outstanding indebtedness of Counties.

By Babcock:-

An act entitled an act to provide for assessment of the Franchise, Roadway, Roadbed, Rails and Rolling Stock of all Rail Roads operated in more than one County in the State.

By Fisher:-

A bill for an act to provide for the government of the State Prison of the State of Montana.

Also that the following Bills were introduced.

By Hedges:- Senate Bill No. 1.
A bill for an act for the protection of the title to Montana School Lands.

By Hedges:- Senate Bill No. 2.
A bill for an act to provide for the publication of the Supreme Court Records.

Respectfully submitted
Frederick Gilbert
Secty.

The following report was received.

Mr. Speaker:-

Your Committee on Judiciary and Federal Relations to whom was referred House Bill No. 5, being a bill to authorize married women to transact business in their own name as sole traders, having had the same under consideration beg leave to report back the accompanying substitute therefor, and recommend that said substitute for House Bill No. 5 do pass.

Dolman
Chairman

House Bill No. 5 together with the substitute recommended by the Committee on Judiciary and Federal Relations was referred to Committee on Printing and Substitute ordered printed

Following report of the Committee on Privileges and Elections was received.

Mr. Speaker:-

Your Committee on Privileges and Elections to whom was referred a Resolution introduced by Stebbins, having had the same under consideration beg leave to report the same back recommending its adoption.

Harrington
Chairman

On motion of Thompson report was adopted, pursuant to which the Committee on Privileges and Elections were instructed to report with as little delay as possible the names of all the duly elected members of the First Legislative Assembly of the State of Montana.

Following report of the Committee of the Whole of yesterday was received.

Mr. Speaker:- Your Committee of the Whole have had under consideration House Bill No. 17 and recommend that the bill as printed, with the accompanying amendments do pass.

Roberts
Chairman

On motion of Norton report was adopted and House Bill No. 17 together with the amendments of the Committee of the Whole was refered to the Committee on Engrossment and ordered engrossed.

The following Bill was introduced.

By Howey:- House Bill No. 26.
A bill for an act to provide for a Bureau of Agriculture, Labor and Industry.

Following resolution was introduced by Howey.
House Joint Resolution No. 5.
Relating to Sites for an Insane Asylum.

House Bill No. 26 and House Joint Resolution No. 5 were read 1st and 2nd times.

House Bill No 26 was refered to the Committee on State Affairs.

House Joint Resolution No. 5 was refered to the Committee on State Institutions and Public Buildings.

House Bill No. 10 was read 3rd time, placed on its final passage and passed by the following vote.

Ayes:- Boardman, Blair, Blake, Bray, Cory, Dolman, Greenough, Goodman, Harrington, Howey, Horsky, Holter, Hoffman, Lochray, Moran, Norton, Newcomer, Phillips, Roberts, Thompson, Waite and Mr. Speaker.
Total 22.

Nays:- Eaton, Hastie, Loud, Mitchell, Stebbins and Wing.
Total 6

Absent:- Meatheth and Harlan. Total 2.

Title agreed to.

The House resolved itself into the Committee of the Whole to consider General Orders. Mr Bray in the chair.

12 M.

House resumed:- Mr. Speaker in the chair.

Following report was received.

Mr. Speaker:-

Your Committee of the Whole report that it has had under consideration House Bill No. 14 and respectfully report back the same with recommendation that it be referred to a Select Committee of three, to report a substitute for the Bill, and report not later than tomorrow's Session.

Also that the Committee has considered House Bill No. 18 and report the same back, report progress on same and ask leave to sit again.

Bray
Chairman

On motion of Goodman report in full was adopted.- pursuant to which the chair appointed as members of Committee to report a substitute for House Bill No. 14. Messrs. Thompson, Greenough and Wing.

On motion of Harvey a recess was taken until 2.30 P.M

2.30 P.M.

House resumed:- Mr. Speaker in the chair.

Roll called:- Absent on leave, Monteath.....
Absent, Harlan.

On motion of Greenough, Harlan was excused from the Sessions of Monday, Tuesday and Wednesday.

The following resolutions were introduced.

By Loud:-

Resolved:- That the Rules of this House be amended by adding the following to be numbered as Rule No. —.

Any member or members of the House of Representatives of the State of Montana who wilfully absent themselves from the House for a period of five consecutive days, unless excused for such absence by a vote of the House shall be held to be in contempt of the House, and such member or members may be expelled by an affirmative vote of two-thirds of the members present.

On motion of Harvey the Resolution was refered to the Committee on Rules and Joint Rules.

By Eaton:-

Resolved:- That a Committee of three (3) be appointed by the chair to wait upon the Governor to inform him that the House of Representatives of the State of Montana is in Session, and that it has not thus far received any communication from him, and to ask his Excellency if he has any communication to make.

Loud moved that the resolution be adopted.

Boardman moved that the resolution be referred to a Special Committee of three. Motion lost.

Original motion carried:- pursuant to which the chair appointed as such Committee, Messrs. Eaton, Blake and Norton.

By Boardman:-

Whereas:- The Counties of Deer Lodge and Beaverhead are now partially disfranchised and unrepresented because of a tie in the ballots cast by said Counties for Joint Representative:- now therefore be it

Resolved:-

That a Committee of three be appointed to wait upon his Excellency the Governor, to ascertain why he has neglected to call a special election to fill the vacancy existing in the Legislative representation of the said Counties of Deer Lodge and Beaverhead.

Doty moved that the Resolution be adopted.

Boardman moved that the Resolution be referred to a Standing Committee.

Motion carried:- pursuant to which the Speaker referred the Resolution to the Committee on Judiciary and Federal Relations.

By Harrington:-

Resolved:- That inasmuch as one Page seems to be unable to properly wait upon this House and perform the other duties devolving upon him, that the House now proceed to the election of another Page.

On motion of Harvey the Resolution was adopted.

Moran placed the name William Pope in nomination for the position of Page to the House

No other nomination having been made nominations were declared closed.

On motion of Thompson the Chief Clerk was instructed to cast the vote of the House for William Pope for Page, which was done, and William Pope was declared by the Speaker duly elected Page of the House.

Following report of the Committee on Privileges and Elections was received.

Mr. Speaker:-

Your Committee on Privileges and Elections, to whom was referred a Resolution by Stebbins requesting a report as to the duly elected members of the First Legislative Assembly of the State of Montana, having had the same under consideration beg leave to report that we have examined the Journal of the House and find the following members as per the report of the Committee on Credentials are duly elected members and have fully qualified and taken the oath of Office, which oath is on file in the Office of the Secretary of State.

Boardman, Jno. M.
Blair, J.W.
Blake, A.S.
Bray, A.J.
Day, David A.
Dolman, Peter R.
Galen, Chas. A.
Greenough, T.C.
Goodman, E.H.
Harlan, W.B.
Harrington, Fayette
Howey, Robt. A.
Hastie, Edwin D.
Hosokey, John
Holter, Anton M.
Hoffman, Frank A.
Lond, Chas. A.
Lochray, Chas.
Mitchell, Samuel
Moran, Hugh M.
Monteath, Jas. A.
Norton, Wm. A.
Newcomer, Martin
Phillips, J.T.
Roberts, Wm. A.
Stebbins, Chas. H.
Thompson, Wm.
Wing, R.T.
Walte, John D.
Witter, A.C.

We have also examined the abstract of the State Canvassing Board of all the votes cast at the last general election for members of the House of Representatives, and transmit herewith a certified copy from the Hon. Secretary of State of the foregoing list of duly elected members of the First Legislative Assembly of the State of Montana, who have duly qualified, and also the following list, who are also elected members of the House of Representatives, and find said certified list of members correct, and recommend the following names be placed on the roll of the House.

Barron, John P.
Beach, Elizur
Blakely, C.P.
Breen, Peter
Burns, A.F.
Carney, Patrick
Clark, J.K.
Conley, A.P.
Critchfield, C.M.
Franks, A.L.
Hardenbrook, C.K.
Higgins, F.G.
Hollywood, Frank
Hughes, Silvan
Kinnier, R.J.
McElwee, D.P.
Penrose, W.J.
Poole, Geo. E.
Schmidt, Leopold H.
Toole, John P.
Twohy, Jas. C.
Wallace, Wm Jr.
Whaley, W.C.
Woodson, J.A.

All of which is respectfully submitted.

Harrington
Chairman.

On motion of Loud the report was adopted, and the Chief Clerk was instructed to add the names recommended by the report to the roll call.

Following report of the Committee on Printing received.

Mr. Speaker:-

Your Committee on Printing to whom was refered Substitute for House Bill No. 5 report same back with recommendation that the bill be re-refered to Judiciary Committee for completion.

Waite
Actg Chairman

On motion of Howey report was adopted, pursuant to which House Bill No. 5 together with the substitute recommended by the Committee on Judiciary and Federal Relations, was rekefered to that Committee

On motion of Doty the House adjourned.

Carson C Waite
Speaker

Benjamin Beletz
Chief Clerk

69th day

House of Representatives.
State of Montana.
Helena, Janiy. 30th 1890.

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called:- quorum present.

Absent:- Barnes, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Critchfield, Evans, Hardenbrook, Higgins, Hoffman, Frank A. Hollywood, Hughes, Humber, McElwee, Monteath, Penrose, Poole, Schmidt, Toole, Twohig, Wallace, Whaley and Woodson.

Prayer by the Chaplain.

Journal of the 68th day read and approved.

On motion of Lochray Monteath was excused for the day.

Following communication was received from the Senate.

State of Montana.
Senate Chamber.
Helena, Mont, 29th Janiy 1890

To the Hon.
House of Representatives
Mr. Speaker:-

I am instructed by the Senate to inform your Hon. body that the following bills were introduced this day.

By Fisher:- Senate Bill No. 3.
A Bill for an act for the government of the State Prison.

By Babcock:- Senate Bill No. 4.
A Bill for an act to amend an act to authorize County Commissioners to issue bonds to redeem outstanding indebtedness of Counties.

By Babcock:- Senate Bill No. 5
A Bill for an act to amend an act to provide for the payment of monies belonging to the State to the State Treasurer.

Respectfully submitted,
Frederick Gilbert
Secretary.

The following reports were received.

Mr. Speaker:-

Your Committee on Judiciary and Federal Relations, to whom was referred House Bill No. 5, having considered the same, beg leave to report the same back with accompanying substitute, and recommend that said substitute for House Bill No. 5 do pass.

Dolman
Chairman

Mr. Speaker:-

Your Committee on Ways and Means to whom was referred House Bill No. 15, a Bill for an act creating a State Board of Equalization, prescribing its duties and certain County Officers, would beg to report that they have had the same under consideration, and would recommend that the same be printed.

Holter
Chairman

Mr. Speaker:-

Your Committee on State Institutions and Public Buildings to whom was referred House Joint Resolution No. 5, relating to appointing a Joint Committee from the Senate and House to consider and examine sites for an Insane Asylum, and report to the next session of the Legislature, have duly considered the same, and beg leave to recommend it do pass.

Norton
Chairman

Mr. Speaker:-

Your Committee on Public Lands to whom was referred House Joint Memorial No. 4 have considered the same, and report it back without amendments, and recommend that it do pass.

Loud
Chairman

On motion of Harvey the report of the Committee on Ways and Means was adopted and House Bill No. 15 was ordered printed.

House Bill No. 5, with substitute was referred to the Committee on Printing and substitute ordered printed.

House Joint ~~Resolutions~~ Nos. 4 and 5 were referred to the Committee on Printing and ordered printed.

The following Bills were introduced.

By Goodman:- House Bill No. 27

A Bill for an act entitled an act to amend Section No. 7, First Division Compiled Statutes of the State of Montana, relating to qualifications of sureties on undertakings.

By Haller:- House Bill No. 28.
A Bill for an act relating to the assessment of property.

House Bills No. 27 and 28 were read 1st and 2nd times and H.B. No. 27 was referred to the Committee on Judiciary and Federal Relations.

House Bill No. 28 was referred to the Committee on Ways and Means.

On motion of Boardman a recess was taken until 2 P.M.

2 P.M.

House resumed:- Mr. Speaker in the chair.

Roll called:- quorum present. Absent on leave, Monteath & Hoffman, Absent:-

Barron, Beach, Blakely, Breen, Bunn, Carney, Clark, Conby, Critchfield, Franks, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Soole, Tuohy, Wallace, Whaley, and Woodson.

The following report was received.

Mr. Speaker:-

Your Special Committee to whom was referred House Bill No. 3 and substitute therefor, beg leave to report that they have found conflicting clauses in the substitute, and therefore report the same back with the accompanying substitute which we recommend do pass.

Dory
Chairman

Substitute recommended by the Special Committee was read at length.

Thompson moved that the report be adopted and substitute be referred to the Committee on Engrossment and ordered engrossed.

Waite moved that the report be received, and the substitute recommended by the Special Committee be referred to the Committee on Printing and ordered printed.
Motion lost.

Original motion by Thompson carried; pursuant to which the substitute was referred to Committee on Engrossment and ordered engrossed.

The following report was received.

Mr. Speaker-

Your Committee appointed, to wait upon the Governor to ask him if he had any communication to make to the House have discharged that duty, and beg to report that his Excellency informed your Committee that he had no communication to make at this time.

Eaton
Chairman

The following report was received.

Mr. Speaker-

Your Committee on Printing beg to report House Bills No. 12, 16 and 19, and substitute for House Joint Memorial No. 2, correctly printed.

Waite
Acting Chairman

House Bills No. 12, 16 and 19, and substitute for House Joint Memorial No. 2 were placed on General Orders.

On motion of Greenough House adjourned.

Marcus L. Gritter
Speaker

Benjamin Webster
Chief Clerk

70th day

House of Representatives.
State of Montana.
Helena, Janry. 31st 1890

House met pursuant to adjournment.
Mr. Speaker in the Chair.

Roll called:- quorum present.

Absent: Barron, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Critchfield, Franc, Vandenbrook, Higgins, Hoffman, Hollywood, Hughes, Humber, McElwee, Penrose, Poole, Schmidt, Thompson, Toole, Twohy, Whaley, Wallace and Woodson.

Prayer by the Chaplain.

On motion of Roberts, Hoffman was excused for absence from yesterday's session.

On motion of Harvey, Thompson was excused for the days session.

Following communication was received from the Senate.

State of Montana,
Senate Chamber,
Helena, 30th Janry. 1890.

To the Hon.
House of Representatives
Mr. Speaker:-

I am directed by the Senate to inform your Hon. body that Senator Babcock gave notice that on tomorrow or some subsequent day he would introduce a Bill for an act amendatory and supplementary to an act to provide for the payment of bounties for the killing of certain birds destroying animals. approved Feby 20th 1889.

Respectfully submitted.
Frederick Gilbert
Secretary.

The following reports were received.

Mr. Speaker:-

Your Committee on Ways and Means to whom was referred House Bill No. 28 beg leave to report the same back with the recommendation that it do pass.

Holter
Chairman.

House Bill No 28 was refered to the Committee on Printing and ordered printed.

Mr. Speaker:-

Your Committee on State Affairs to whom was referred House Bill No. 26 beg leave to report the same back with recommendation that it do pass.

Dory
Chairman.

House Bill No. 26 was referred to the Committee on Printing and ordered printed.

Mr. Speaker:-

Your Committee on Towns, Counties and Highways to whom was referred House Bill No. 24 entitled a Bill for an act to amend an act entitled an act for the better protection of game and fish, beg to report the same back with recommendation that it do pass.

Harlan
Chairman.

House Bill No. 24 was referred to the Committee on Printing and ordered printed.

Mr. Speaker:-

Your Committee on Judiciary and Federal Relations to whom was referred House Bill No. 27 being an act to amend Section 767 First Division Compiled Statutes of the State of Montana relating to qualifications of parties on undertakings, having had the same under consideration beg leave to report it back with the recommendation that it do pass.

Dolman.
Chairman

House Bill No. 27 was referred to the Committee on Printing and ordered printed.

Mr. Speaker:-

Your Committee on Judiciary and Federal Relations to whom was referred House Bill No. 8, being a Bill for "an act making the Clerk of the Supreme Court a salaried officer and providing that all fees collected by him be paid into the State Treasury," having had the same under consideration, beg leave to report it back with the recommendation that it do not pass.

Dolman
Chairman

House Bill No. 8 together with the report of the Committee on Judiciary and Federal Relations was placed on General Orders.

Mr. Speaker:-

Your Committee on State Institutions and Public Buildings to whom was referred House Bill No. 25, providing for the erection of an addition to the Penitentiary and building a wall around the same, beg leave to report that they have had the same under consideration and find in the absence of any law there is no authority for the State Board of Prisons to act in the premises.

Also there are no plans, specifications or other information obtainable upon which your Committee can intelligently base an estimate for an appropriation, and therefore report the same back with the recommendation that it do not pass.

Fenton
Chairman.

House Bill No. 25, together with report of the Committee on State Institutions and Public Buildings, was placed on General Orders.

Mr. Speaker:-

Your Committee on Education and Labor have had House Bill No 22 under consideration and respectfully report it back with the recommendation that it do pass.

Hoffman
Actg. Chairman

House Bill No. 22 was referred to the Committee on Printing and ordered printed.

Mr. Speaker,-

Your Committee on Engrossment to whom was referred, House Bill No. 17 report the same back correctly engrossed.

Phillips
Chairman

House Bill No. 17 was placed on the Calendar for third reading.

Mr. Speaker:-

Your Committee on Rules to whom was referred an amendment to the House Rules has carefully examined the same and report it back with recommendation that it be not adopted.

Boardman
Actg. Chairman

On motion of Loud the report was adopted.

Following notice was given by Howey.
Mr. Speaker:-
I hereby give notice that at the afternoon session I will move a call of the House.

Following resolution was introduced by Howey.
Resolved:-
That the following Rule be added to the Rules of the House, to be numbered Rule No. 56.
Whenever a vote is taken by the House, all members present, whether voting or not, shall be counted in making up a Constitutional quorum.

On motion of Land the resolution was adopted and Rule No. 56 was added to House Rules in accordance with the Resolution.

Goodman moved that Rule No 51 of the House Rules be amended by adding thereto the following.
"Provided however:- that the names of all members present and not voting shall be entered upon the Journal as voting with the majority."
Motion lost.

Following resolution was introduced by Land.
Resolved:-
That Rule No. 48 be amended by substituting the following.
Rule No. 48.- Parliamentary practice.
The rules of Parliamentary practice embraced in Roberts' Rules of Order shall govern the House in all cases where they are applicable and not in conflict with "Cushings Law and Practice of Legislative Assemblies":- in case of such conflict the latter shall govern.
Provided such ruling is not inconsistent with the Standing Rules and Orders of the House and the Joint Rules and Orders of the House and Senate.

On motion of Boardman the Resolution was adopted and Rule No. 48 was amended to conform with the Resolution.

House Bill No. 17 was read third time, at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dory, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holter, Horsley, Harvey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Waite, Wing and Mr. Speaker. Total 29

Nays. None

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Donley, Critchfield, Franz, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Thompson, Toole, Twohy, Wallace, Whaley, and Woodson. Total 20.

Title agreed to

On motion of Loud a recess was taken until 2 P.M.

2 P.M.

House resumed:- Mr. Speaker in the chair.

Roll called:- quorum present

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Donley, Critchfield, Eaton, Franz, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Thompson, Toole, Twohy, Wallace, Whaley and Woodson.

Monteath moved that when the House adjourn it be to meet at ... 8 P.M. Monday Feby. 3rd

Loud moved that when the House adjourn it be to meet on Saturday at 10 A.M.

The Ayes and Nays were demanded, resulting as follows.

Ayes:- Blair, Blake, Bray, Goodman, Harlan, Harrington, Hastie, Hoffman, Harvey, Lochray, Loud, Mitchell, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Waite and Wing. Total 20.

Nays:- Boardman, Dory, Dolman, Holter, Horsley, Greenough, Monteath and Mr. Speaker. Total 8

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Donley, Critchfield, Eaton, Franz, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Thompson, Toole, Twohy, Wallace, Whaley, and Woodson

Total 26

The Speaker announced that the motion was carried.

On motion of Goodman the House resolved itself into the Committee of the Whole to consider General Orders, Mr. Bray in the chair.

4 P.M.

The Committee of the Whole was declared dissolved by the Speaker, who took the chair.

On motion of Howey the House adjourned.

Aaron D Wright
Speaker

Benjamin Rebetta
Chief Clerk

71st day.

House of Representatives,
State of Montana,
Helena, Feby. 1st 1890.

House met pursuant to adjournment.
Mr. Speaker in the Chair.

Roll called: no quorum present.

Absent: Barron, Beach, Blakely, Boardman, Breen, Burns, Carney, Clark, Canby, Cony, Critchfield, Evans, Greenough, Vandenbrook, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Thompson, Toole, Twohig, Wallace, Whaley and Woodson.

On motion of Kenney, House adjourned until 2 PM. Monday Feby. 3rd 1890

Aaron C Boyd
Speaker
Benjamin Stebbins
Chief Clerk

House of Representatives,
State of Montana,
Helena, Feby. 3rd 1890

House met pursuant to adjournment.
Mr. Speaker in the Chair.

Roll called:- quorum present.

Absent:- Barron, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Cory, Crutchfield, Dolman, Franks, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson.

Prayer by the Chaplain.

Journals of the 68th, 69th, 70th and 71st days read and approved.

Messrs. Thompson, Greenough, and Boardman were excused for absence from the session of the 71st day.

Boardman moved that Dolman be excused from the days session.

Motion lost.

By consent of the House Cory was excused until the session of the 82nd day.

Following reports were received.

Mr. Speaker:-

Your Committee on Judiciary and Federal Relations to whom was referred House Bill No. 7 relating to information in criminal cases, beg leave to report back the same with substitute, and recommend that the substitute do pass.

Goodman
Actg. Chairman

Mr. Speaker:-

Your Committee on Printing would respectfully report House Joint Memorial No. 5 and substitute for House Bill No. 5 as correctly printed.

Monteath
Chairman

Mr. Speaker:-

Your Committee on Engrossment to whom substitute for House Bill No. 3, relating to printing and distributing ballots was referred, respectfully report the same back correctly engrossed.

Phillips
Chairman.

House Bill No. 7. with substitute recommended by the Committee on Judiciary, was referred to the Committee on Printing, and substitute ordered printed.

House Bill No. 5 together with substitute, and House Joint Memorial No. 5 were placed on General Orders.

Substitute for House Bill No 3 was placed on the Calendar for 3rd. reading.

Following notice of Bill was given.

Mr Speaker:-

I hereby give notice that on tomorrow or some subsequent day I will introduce a Bill entitled an act to provide State and County Canvassing Boards.

Norton.

Substitute for House Bill No. 3 was read 3rd time at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Goodman, Greenough, Harlan, Harrington, Hoffman, Holden, Horsky, Howey, Lochray, Loud, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Thompson, Wing and Mr. Speaker.

Total 22.

Nays:- Bray, Eaton, Hastie, Mitchell, Stebbins and Waite.

Total 6.

Absent:- Barron, Beach, Blakely, Breen, Burns, Carney, Clark, Conby, Cory, Critchfield, Dolman, Evans, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Turchy, Wallace, Whaley, and Woodrow.

Total 26.

Title agreed to.

On motion of Howey the House resolved itself into the Committee of the Whole to consider General Orders;- Mr. Bray in the chair.

4 P.M.

House resumed;- Mr. Speaker in the chair.

Following report of Committee of the Whole was received. Mr. Speaker;-

Your Committee of the Whole has had under consideration House Bill No. 18 and report the same back with recommendation that the Bill be referred to a Special Committee of five.

They have also had under consideration House Bill No. 21, and report the same back with amendments herewith transmitted, and recommend that as amended the Bill do pass.

Bray
Chairman

On motion of Norton that portion of the report relating to House Bill No. 18 was adopted, pursuant to which the chair appointed as members of such Special Committee Messrs. Monteath, Norton, Moran, Eaton and Howey.

On motion of Roberts that portion of the report relating to House Bill No. 21 was adopted, and the Bill and amendment were referred to the Committee on Engrossment and ordered engrossed.

On motion of Greenough the House adjourned.

Aaron E Britton
Speaker

Benjamin Pikes
Chief Clerk.

74th day

House of Representatives.
State of Montana,
Helena, Feby. 4th 1890

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called:- quorum present:- absent on leave Dorsey.

Absent:- Barnes, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Critchfield, Franks, Handenbrook, Higgins, Hollywood, Hughes, Kember, McElwee, Penrose, Poole, Schmidt, Toole, Tousley, Wallace, Whaley, and Woodson.

Prayer by the Chaplain.

Journal of the 73d day read and approved.

On motion of Boardman Dolman was excused from the session of the 76th day

Following notice of a Bill was given.

By Harvey. Mr Speaker:-
I hereby give notice that on tomorrow, or on some future day, I will introduce a bill appropriating a certain amount of money for the Historical Society of Montana.

On motion of Harvey the House resolved itself into the Committee of the Whole to consider General Orders:-
Mr. Hastie in the chair.

11.45 A.M.

House resumed:- Mr. Speaker in the chair.

Following report was received.

Mr. Speaker:-
The Committee of the Whole, having had under consideration House Bill No. 12, report progress and ask leave to sit again.

Hastie
Chairman

Greenough moved that a recess be taken until 3 P.M.
Motion lost.

Goodman moved that a recess be taken until 2.30 P.M.

Greenough moved to amend by making the hour 2 P.M.
Motion, as amended, carried.

2 P.M.

House resumed:- Mr. Speaker in the chair.

On motion of Boardman, Mr. Eaton was excused for absence from the afternoon session of the 70th day.

On motion of Bowey House resolved itself into the Committee of the Whole to consider General Orders:-
Mr. Hastie in the chair.

3.10 P.M.

House resumed:- Mr. Speaker in the chair.

The Chairman of the Committee of the Whole reported progress on House Bill No. 12 and asked leave to sit again.

Following report of Committee on Printing was received.
Mr. Speaker:-

Your Committee on Printing respectfully report House Bill No. 15, and House Joint Memorial No. 4 as correctly printed.

Montgomery
Chairman

House Bill No. 15 and House Joint Memorial No. 4 were placed on General Orders.

On motion of Greenough House adjourned.

Aaron E. Britton
Speaker

Benjamin Webster
Chief Clerk

75th day

House of Representatives,
State of Montana,
Helena, Feby. 5th 1890.

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called:- no quorum present.

Absent on leave. Dony.

Absent:- Barron, Beach, Blakely, Boardman, Breen, Burns, Carney, Clark, Comly, Crutchfield, Frank, Goodman, Hardenbrook, Harlan, Hollywood, Hughes, Humber, Mc Elwee, Monteath, Schmidt, Stebbins, Thompson, Poole, Tuohy, Wallace, Whaley, and Woodson, and, Higgins, Penrose and Poole.

On motion of Loud a recess was taken until 2 P.M.

2 P.M.

House resumed:- Mr. Speaker in the chair.

On motion of Thompson a recess was taken until 3. P.M.

3 P.M.

House resumed:- Mr. Speaker in the chair.

Roll called:- quorum present.

Absent on leave, Dony.

Absent:- Barron, Beach, Breen, Burns, Carney, Clark, Comly, Crutchfield, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Monteath, Penrose, Poole, Schmidt, Poole, Tuohy, Wallace, Whaley, Woodson and Frank.

Phillips moved to adjourn:- motion lost.

Following report was received.

Mr. Speaker:-

The Printing Committee beg leave to report substitute for House Bill No. 7 correctly printed.

Waite
Actg Chmn.

House Bill No. 7 was placed on General Orders.

Following notices of the introduction of bills were given.

By Lochray:- Mr. Speaker:- I hereby give notice that on tomorrow or some subsequent day I will introduce a bill for an act regulating the mining of coal in the State of Montana, and for the protection of Coal Miners and employes of Coal Mines.

By Stebbins:- Mr. Speaker:- I hereby give notice that I will on tomorrow, or some subsequent day, introduce a bill entitled an act to regulate Railroad corporations in their transportation of passengers and baggage and to fix a maximum rate of charges, and to provide for a penalty for the violation thereof.

By Bray:- Mr. Speaker:- I hereby give notice that I will on tomorrow, or some subsequent day introduce a bill for an act to prevent persons and corporations from coercing persons in their employ in the matter of purchasing their family supplies and the conduct of their private affairs.

The following bills were introduced.

By Norton:- House Bill No. 29.

An act to provide for State Prison officials and fixing the salaries thereof.

By Lochray:- House Bill No. 30.

An act to amend Sections 2, 4, 7, 13, 14, 15 and 16, and repealing Section 12 of an act entitled an act to create the office of Mine Inspector and to define his duties, approved March 14th 1889.

House Bills Nos 29 and 30 were read 1st and 2d times:-

House Bill No. 29 was referred to Committee on State Institutions and Public Buildings.

House Bill No. 30 was referred to Committee on Mines and Minerals.

On motion of Norton, House resolved itself into the Committee of the Whole to consider House Bills Nos 23 and 7. Mr. Harlan in the chair.

3.40 P.M.

House resumed:- Mr. Speaker in the chair.

Following report was received.

Mr. Speaker:-

Your Committee of the Whole report that they found House Bill No. 23 not properly on Gen'l. Orders, and therefore the same could not be considered.

Further:- that they have had under consideration House Bill No. 7, and report the same back with amendments, and recommend that as amended in said Committee it do pass.

Harlan
Chairman.

On motion of Loud report was adopted and bill with amendments was referred to Committee on Engrossment and ordered engrossed.

On motion of Harlan House resolved itself into the Committee of the Whole for further consideration of House Bill No. 12. Mr. Hastie in the chair.

4.10 P.M.

House resumed:- Mr. Speaker in the chair.

Following report was received.

Mr. Speaker:-

Your Committee of the Whole on House Bill No. 12, have had the same under consideration and report it back to the House with recommendation that it be referred to a Special Committee of five.

Hastie
Chairman.

On motion of Harlan report was adopted, pursuant to which the chair appointed as members of such Special Committee Messrs. Thompson, Wing, Holler, Greenough and Goodman.

On motion of Howey Monteith was excused from the sessions of the day.

On motion of Gray House adjourned.

Aaron A Shorey
Speaker

Benjamin Abbott
Chief Clerk

76th day

House of Representatives,
State of Montana,
Helena, Feby. 6th 1890

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called:- quorum present. Absent on leave Dony.

Absent:- Barron, Black, Breen, Burns, Carney, Clark, Blakely, Comby, Critchfield, Franc, Hardenbrook, Higgins, Hollingwood, Hughes, Kinsley, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson,

Journal of the 75th day read and approved.

Prayer by the Chaplain.

Messrs. Goodman, Stebbins, Boardman, Harlan and Thompson were excused for absence from the morning session of the 75th day.

Following report was received.

Mr. Speaker:-

Your Committee on State Institutions and Public Buildings to whom was referred House Bill No. 29, an act to provide for State Prison officials and fixing the salaries thereof - have had the same under consideration and report the same back with amendments, and recommend its passage as amended

Norton
Chairman

House Bill No. 29 with amendments of the Committee on State Institutions and Public Buildings was referred to the Committee on Printing and ordered printed.

The following bill was introduced.

By. Stebbins:-

House Bill No. 31.

A bill for an act entitled an act to regulate Railroad corporations in their transportation of passengers and baggage and to fix a maximum rate of charges, and to provide for a penalty for the violation thereof.

House Bill No. 31 was read 1st and 2nd times and referred to the Committee on Railroads.

Goodman moved that the House resolve itself into the Committee of the Whole to consider House Bill No. 23 and House Joint Resolution No. 5.

Loud moved to amend by substituting the words "General Orders" for "House Bill No. 23 and House Joint Resolution No. 5."

Motion as amended carried.- pursuant to which the House resolved itself into the Committee of the Whole. Mr Loud in the chair.

11.10 AM.

House resumed:- Mr. Speaker being absent on motion of Boardman Mr. Norton was elected Speaker pro tem:- and took the chair.

Following communication from the Senate was received.

State of Montana
Senate Chamber
Helena, 5th Feby. 1890

To the
Hon. House of Representatives.
Mr. Speaker:-

I am directed by the Senate to return to your Hon. body House Concurrent Resolution No. 3.

Respectfully submitted.
Frederick Gilbert
Secretary.

On motion of Loud H.C.R. No. 3 was laid on the table.

Following report of the chairman of the Committee of the Whole was received.

Mr. Speaker:-

Your Committee of the Whole have had under consideration House Bill No. 16. and respectfully report progress on the same and ask leave to sit again.

Loud
Chairman

House Bill No. 23 was reported correctly printed and placed on General Orders.

On motion of Boardman House adjourned.

Aaron E Griffin
Speaker
Benjamin Hebert
Chief Clerk

77th day.

House of Representatives.
State of Montana,
Helena, Feby. 7th 1890

House met pursuant to adjournment.
Mr. Speaker in the Chair.

Roll called:- quorum present. Absent on leave Doty.

Absent:- Barron, Beach, Blakely, Breen, Burns, Conway, Clark, Conly, Crutchfield, Franks, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mr. Elwell, Penrose, Poole, Schmidt, Stebbins, Toole, Tuohy, Wallace, Whaley, and Woodson.

On motion of Bray the Chaplain was excused from the days session.

Journal of the 76th day was read and approved.

Following reports were received.

Mr. Speaker:-

Your Committee on Engrossment to whom was referred House Bill No. 21 concerning Primary Elections, respectfully report the same back correctly engrossed.

Phillips
Chairman

Mr. Speaker:-

Your Committee on Printing to whom was referred House Bills No. 22, 26, 27, and 28, report the same back correctly printed.

Waite
Actg. Chairman

House Bill No. 21 was placed on the calendar for third reading.

House Bills No. 22, 26, 27 and 28 were placed on General Orders.

Bray moved that when the House adjourn it be to meet at 8 P.M. Monday Feby. 10th
Motion carried.

Gremaugh, moved to adjourn:- motion lost.

Goodman moved that the House resolve itself into the Committee of the Whole to consider House Bills 16 and 23.

Loud moved to amend by substituting the words "General Orders" for "House Bills 16 and 23."

Amendment lost.

Original motion carried & pursuant to which the House resolved itself into the Committee of the Whole.

Mr. Loud in the chair.

11 A.M.

House resumed:- Mr. Speaker in the chair.

Following report was received.

Mr. Speaker:-

Your Committee of the Whole has had under consideration House Bills Nos. 16 and 23 and respectfully report progress on the same and ask leave to sit again.

Loud
Chairman

Following motion was introduced by Bray.

Mr. Speaker:-

I move you sir that it is the sense of this House that the Judiciary Committee are hereby instructed to draw up a bill for an act defining the duties of a State Board of Examiners and State Prison Commission, and present the same to this House not later than Tuesday's session.

Boardman moved to amend by striking out the words "and present the same to this House not later than Tuesday's session".

Amendment lost.

The Speaker called Mr. Norton to the chair.

Goodman moved to amend the motion by striking out the word "Judiciary" and inserting in lieu thereof the words "Military Affairs".

Amendment lost.

Original motion carried.

On motion of Miller the Clerk was instructed to request the recall from the Senate of House Bill No. 9.

Monteath moved that the vote by which the time for adjournment was set be reconsidered.

Motion carried.

On motion of Miller a recess was taken until 8 P.M.

8 P.M.

House resumed:- Mr. Speaker in the chair.

Bray's motion to adjourn until 8 A.M. Monday February 10th was put and lost.

On motion of Norton House adjourned.

Aaron E. Bryfter
Speaker

Benjamin Roberts
Chief Clerk

78th day

House of Representatives,
State of Montana,
Helena. Feby. 8th 1890

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called:- no quorum present. Absent on leave Dory.

Absent:- Barron, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Critchfield, Eaton, Frank, Handenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Stebbins, Toole, Twohy, Wallace, Whaley and Woodson

On motion of Bray a recess was taken until 2 P.M.

2 P.M.

House resumed: Mr Speaker in the chair.

On motion of Boardman a recess was taken until 5 P.M.

5 PM.

House resumed:- Mr. Speaker in the chair.

Roll called:- quorum present. Absent on leave Dory.

Absent:- Barron, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Critchfield, Frank, Handenbrook, Hastie, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley, Woodson and Higgins.

Following reports were received,

Mr. Speaker,

Your Committee on Engrossment to whom was referred substitute for House Bill No. 7, relating to information in criminal cases, respectfully report the same back correctly engrossed.

Phillips
Chairman.

Substitute for House Bill No. 7 was placed on the Calendar for third reading.

Mr. Speaker:-

Your Committee on Printing would respectfully report House Bill No. 24 as correctly printed.

Monteath
Chairman

House Bill No. 24 was placed on General Orders.

Following notice of bill was given by Boardman.

Mr. Speaker:-

I hereby give notice that I will on tomorrow or some following day introduce a bill entitled an act compelling Railroad companies to put out "Fire Guards" for the protection of Stock ranges.

By consent of the House the Ways and Means Committee introduced without previous notice the following bills.

House Bill No. 32.

An act appropriating money for collecting Statistics.

House Bill, No. 33.

An act appropriating money to pay the salary of the State Veterinary Surgeon, expenses and mileage.

House Bill No. 34.

An act appropriating money for the support of the Insane, and transportation of the same.

House Bill No. 35.

An act appropriating money to the National Guards as provided in Sect. 1472 of the Fifth Division of the revised Statutes.

House Bill No. 36.

An act appropriating money for the board of convicts in the County Jails and transportation of the same to the State Prison.

House Bill No. 37

An act appropriating money for the education of the Deaf, Dumb and Blind Children, and transportation of the same.

House Bill No. 38.

An act appropriating money to pay the salaries of the Boiler Inspector and his Assistant, Office expenses and mileage.

House Bill No. 39.

An act appropriating money to pay the salaries of the Mine Inspector and Assistant Mine Inspector, office expenses and mileage.

House Bill No. 40.

An act appropriating money to pay for printing for Legislative, Executive and Judicial Departments of the State of Montana.

The following bill was introduced By Stanton:-

House Bill No. 41.

An act entitled an act to provide State and County Canvassing Boards and defining the duties of the same.

House Bills Nos. 32, 33, 34, 35, 36, 37, 38, 39, 40, and 41 were read 1st and 2nd times.

House Bills Nos. 32, 33 and 34 were referred to the Committee on State Affairs.

House Bill No. 35 was referred to the Committee on Military Affairs.

House Bill No. 36 was referred to the Committee on Towns, Counties and Highways.

House Bill No. 37 was referred to the Committee on Education and Labor.

House Bills Nos. 38 and 39 were referred to the Committee on Mines and Minerals.

House Bill No. 40. was referred to Committee on Printing

Goodman moved that House Bill No. 41 be referred to a select Committee of three, with instructions to report as soon as possible.

Motion carried, pursuant to which the Chair appointed as members of such committee Messrs. Lund, Boardman and Goodman.

On motion of Thompson House Bill No. 23 was recalled from the hands of the Chairman of the Committee of the Whole and considered in open House

The following amendment to House Bill No. 23 was offered by Thompson.

Amend by striking out all of Section 1 after the word "thereof" in line 3 of printed bill.

Amendment carried.

House Bill No. 23 as amended by the House was referred to Committee on Engrossment and ordered engrossed.

House Bill No. 21 was read third time, at length, placed on its final passage and passed by the following vote.

Ayes. Blair, Blake, Boardman, Eaton, Goodman, Greenough, Harlan, Harrington, Hoffman, Holker, Horsky, Howey, Lochray, Lord, Mitchell, Monteath, Moran, Newcomer, Norton, Roberts, Stebbins, Thompson and Waite.

Total 23.

Nays:- Bray, Dolman, Phillips, Wing and Waite.

Total 5

Absent:- Barron, Beach, Blakely, Breen, Burns, Carney, Clark, Conly, Cory, Crutchfield, Frank, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley, and Woodson.

Total 26.

Title agreed to.

On motion of Goodman a recess of 10 minutes was taken.

8 P.M.

House resumed:- Mr Speaker in the chair.

The following reports were received.

Mr. Speaker:-

Your Committee on Engrossment having had under consideration House Bill No. 23 report the same back correctly engrossed.

Phillips
Chairman.

House Bill No. 23 was placed on the Calendar for third reading.

Mr. Speaker:-

Your Committee on Education and Labor have had under consideration House Bill No. 37 and respectfully report the same back with recommendation that it do pass.

Hoffman
Actg Chairman

Mr. Speaker:-

Your Committee on Military Affairs have had under consideration House Bill No. 35 and beg to report the same back without amendment and recommend that the said bill do pass.

Bray
Chairman.

Mr. Speaker:-

Your Committee on State Affairs to whom was refered House Bills No. 32, 33 and 34 beg leave to report that they have had the same under consideration, and report the same back with recommendation that they do pass.

Blair
Actg. Chairman

Mr. Speaker:-

Your Committee on Towns, Counties and Highways, to whom was refered House Bill No. 136 appropriating money for the board of convicts in the County Jails and transportation of the same to the State Prison, report the same back with recommendation that it do pass.

Harlan
Chairman.

Mr. Speaker:-

Your Committee on Printing to whom was refered House Bill No. 40, appropriating money for printing beg to report the same back with recommendation that it do pass.

Monteath
Chairman.

Mr. Speaker:-

Your Committee on Mines and Minerals to whom was refered House Bill No. 38, relating to salaries of Boiler Inspector and Assistant, - also House Bill No. 39, relating to salaries of Mine Inspector &c. beg to report the same back with recommendation that they do pass.

Eaton
Chairman

On motion of Stanton a recess of 15 minutes was taken.

8.30 P.M.

House resumed:- Mr. Speaker in the chair.

The following report was received.

Mr. Speaker:-

Your Special Committee to whom was referred House Bill No. 41 have considered the same and report it back with the recommendation that it do pass.

Loud
Chairman.

House Bill No. 41 was referred to Committee on Printing and ordered printed.

The following report was received.

Mr. Speaker:-

Your Committee on Printing would respectfully report House Bills No's. 29. 32. 33. 34. 35. 36. 37. 38. 39 and 40 as correctly printed.

Monteath
Chairman.

House bill No. 29 was placed on General Orders.

On motion of Goodman Rules were suspended, House Bills No's. 32, 33, 34, 35, 36, 37, 38, 39 and 40 were considered engrossed and passed to their third reading.

Substitute for House Bill No. 7 was read third time at length, placed on its final passage and passed by the following vote:

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hoffman, Holler, Horsky, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 28.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Conly, Cory, Crutchfield, Frank, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson

Total 26.

Nays:- None.

Title agreed to.

House Bill No. 23 was read third time, at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hoffman, Holter, Horsley, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker

Total 28.

Nays:- None.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Comby, Cory, Critchfield, Franc, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson

Total 26.

Title agreed to.

House Bill No. 32 was read third time at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hoffman, Holter, Horsley, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 28.

Nays:- None.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Comby, Cory, Critchfield, Franc, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson,

Total 26.

Title agreed to.

House Bill No. 33 was read third time at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hoffman, Holley, Horsky, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 28.

Nays:- None.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Cory, Crutchfield, Frank, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Trochy, Wallace, Whaley and Woodson.

Total 26.

Title agreed to.

House Bill No. 34 was read third time at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hoffman, Holley, Horsky, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 28.

Nays:- None.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Cory, Crutchfield, Frank, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Trochy, Wallace, Whaley and Woodson.

Total 26.

Title agreed to.

House Bill No. 35 was read third time at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hoffman, Holley, Horsky, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 28.

Nays:- None.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Cory, Crutchfield, Frank, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Trochy, Wallace, Whaley and Woodson.

Total 26.

Title agreed to.

House Bill No. 36 was read third time at length, placed on its final passage, and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hoffman, Holley, Horsky, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 28.

Nays:- None.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Conly, Cory, Crutchfield, Franz, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson.

Total 26.

Title agreed to.

House Bill No. 37 was read third time at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hoffman, Holley, Horsky, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 28.

Nays:- None,

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Conly, Cory, Crutchfield, Franz, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson.

Total 26.

Title agreed to.

House Bill No. 38 was read third time at length, placed on its final passage, and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hoffman, Holley, Horsky, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 28.

Nays:- None.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Cory, Critchfield, Franz, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson.

Total 26.

Title agreed to.

House Bill No. 29 was read third time at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hoffman, Holter, Horsley, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 28.

Nays:- None.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Cory, Critchfield, Franz, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson.

Total 26.

Title agreed to.

House Bill No. 40 was read third time at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hoffman, Holter, Horsley, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Nays:- None.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Cory, Critchfield, Franz, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson.

Total 26.

Title agreed to.

The following report was received.

Mr. Speaker:-

Your Committee on Printing would respectfully report House Bill No. 41 as correctly printed.

Montieth.
Chairman.

Lund moved that the rules be suspended and House Bill No. 41 be considered in open House.

Motion carried, pursuant to which the House proceeded to consider House Bill No. 41

The Bill was read at length, and then read section by section.

The following amendment offered by Harlan was adopted.

Amend Sect. 1 of House Bill No. 41 by striking out all of line 2 and that part of line 3 up to and including the word County in printed bill, and insert

"shall constitute a County Canvassing Board, and the "County Clerk shall be the Clerk thereof. Provided, that if "but two members be present, they shall call to their assistance "the Sheriff of such County, and if but one member be present, "he shall call to his assistance the Sheriff and Treasurer of "such County."

The following amendment offered by Goodman was adopted.

Amend Sect. 4 of House Bill No. 41, line 3, of printed bill, by inserting the words "Judges of the District Courts and" between the words "excepting" and "members."

The following amendment offered by Boardman was adopted.

Amend Sect. 3 of House Bill No. 41, line 1, of printed bill, by striking out the word "the" after the word "enter", and insert the word "an".

House Bill No. 41 as amended by the House was referred to the Committee on Engrossment and ordered engrossed.

The following report was received.

Mr. Speaker;-

The Judiciary Committee would beg to report that they have by order of the House, prepared a bill for an act to provide for the management and maintenance of the State Prison, and beg leave to introduce the same without previous notice.

Dolman
Chairman

By consent of the House Rules were suspended and House Bill No. 42. "a bill for an act to provide for the management and maintenance of the State Prison" was introduced without previous notice, read 1st and 2nd times and referred to the Committee on Judiciary and Federal Relations.

The following report was received.

Mr. Speaker:-

Your Committee on Judiciary and Federal Relations to whom was refered House Bill No. 42, a bill for an act to provide for the management and maintenance of the State Prison have had the same under consideration and refer it back with the recommendation that it do pass.

Dolman
Chairman.

House Bill No. 42 was refered to the Committee on Printing and ordered printed.

The following report was received.

Mr. Speaker:

Your Committee on Engrossment beg leave to report House Bill No. 41 correctly engrossed.

Roberts.
Actg. Chairman

House Bill No. 41 was placed on the Calendar for third reading.

The following communication from the Senate was received.

State of Montana
Senate Chamber
Helena, 8th Feby. 1890.

To the Hon. House of Representatives,
Mr. Speaker:-

I am instructed by the Senate to return to your Hon. body House Bill No. 9 and House Bill No. 10 with Senate amendments, which as amended passed the Senate this day. and are herewith transmitted.

Respectfully submitted.
Frederick Gilbert
Secretary.

On motion of Loud the House concurred in the Senate amendments to House Bill No. 9.

On motion of Thompson the House concurred in the Senate amendments to House Bill No. 10.

House Bill No. 41 was read third time at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hoffman, Holton, Horsey, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 28.

Nays:- None.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Conely, Cory, Critchfield, Evans, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson.

Total 26.

Title agreed to.

Dolman moved that when the House adjourn it be to meet on Monday Feby. 10th at 12 M.

Motion lost.

On motion of Harlan House adjourned.

Aaron E Britton
Speaker

Benjamin Stebbins
Chief Clerk.

House of Representatives.
State of Montana,
Helena, Feby. 10th 1890

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called:- quorum present. Absent on leave, Dony.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Comly, Critchfield, Franks, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Trosby, Wallace, Whaley, and Woodson.

Prayer by the Chaplain.

Journal of the 78th day read and approved.

On motion of Lochray Hastie was excused from the session of Saturday.

Following communications from the Senate were received.

Senate Chamber
Helena, Feby. 8th 1890

To the Hon.
House of Representatives.
Mr. Speaker:-

I am instructed by the Senate to inform your Hon. body of the introduction of the following bill. Senate Bill No. 6, without previous notice, "an act to provide compensation for members of the Legislative Assembly". Also, that the following have been ordered printed. Senate Bills Nos. 1, 2, 3 and 4. Also, that House Bill No. 32 has been indefinitely postponed.

Respectfully submitted,
Frederick Gilbert,
Secty.

Senate Chamber,
Helena, Feby 8th 1890

To the Hon. House of Representatives.
Mr. Speaker:-

I am instructed by the Senate to inform your Hon. body that the following House Bills have passed the Senate this day. House Bills Nos 33, 34, 35, 36, 37 38, 39 and 40, and are herewith transmitted.

Respectfully submitted
Frederick Gilbert
Secretary.

House Bills Nos. 33, 34, 35, 36, 37, 38, 39 and 40 were referred to the Committee on Enrollment and ordered enrolled.

On motion of Norton, a recess of 30 minutes was taken.

11. am.

House resumed:- Mr. Speaker in the chair.

The following report was received.

Mr. Speaker:-

Your Joint Committee on Enrollment beg leave to report House Bill No. 9, an act appropriating money to pay the interest on the public debt and to defray the expenses of the Executive, Legislative and Judicial Departments of the State of Montana for the fiscal year ending Dec. 1st 1890 as correctly enrolled.

Also, House Bill No. 10, an act entitled an act fixing the number, compensation and duties of the officers and employees of the Senate and House of Representatives of the Legislative Assembly of the State of Montana, as correctly enrolled.

Also, House Bill No 32, an act appropriating money to pay the salary of the State Veterinary Surgeon, expenses and mileage for the same, as correctly enrolled.

Also, House Bill No. 35, an act appropriating money to pay the National Guards as provided in Section 1472 of the Fifth Division of the Revised Statutes of Montana, as correctly enrolled.

Also House Bill No. 36, an act appropriating money for the board of convicts in the County Jails and transportation of the same to the State Prison, as correctly enrolled.

Also House Bill No. 39, an act appropriating money to pay the salaries of the Mine Inspector and Assistant Mine Inspector, office expenses and mileage, as correctly enrolled.

Also, House Bill No. 40, an act appropriating money to pay for printing for Legislative, Executive and Judicial Departments of the State of Montana, as correctly enrolled.

Also, House Bill No. 34, an act appropriating money for the support of the Insane, and transportation of the same, as correctly enrolled.

Also, House Bill No. 37, an act appropriating money for the education of the Deaf, Dumb and Blind children and the transportation of the same, as correctly enrolled.

Also. House Bill No. 38. an act appropriating money to pay the salaries of the Boiler Inspector and his Assistant, office expenses and mileage. as correctly enrolled,

And the same are herewith submitted for your signature.

Saml. Mitchell
Chairman.

The following report was received.

Mr. Speaker:-

Your Committee on Mines and Minerals to whom was referred House Bill No. 30. being an act to amend Sections 2. 4. 7. 13. 14. 15 and 16. and repealing Section 12 of an act approved March 14th 1889 creating the office on Mine Inspector and defining his duties, beg. to report that they have had the same under consideration and report it back with recommendation that it do pass.

Eaton
Chairman

House Bill No. 30 was referred to the Committee on Printing and ordered printed.

Following notice of Bill was given.

Mr. Speaker:-

You will please take notice that I will on the morrow or on some subsequent day introduce a bill entitled "an act to create the County of Valley, to define its boundaries and provide for its organization"

Newcomer

The Committee on Ways and Means, by consent of the House introduced without previous notice:-

House Bill No. 43.

A bill for an act appropriating money to pay clerical help in the office of the Secretary of State, State Auditor and State Treasurer:- also for rent and incidentals for the Legislative Assembly of the State of Montana.

House Bill No. 43 was read 1st and 2nd times and referred to the Committee on State Affairs.

The Speaker announced that he was about to sign House Bills No's 9, 10, 33, 34, 35, 36, 37, 38, 39 and 40, and signed the same in the presence of the House.

On motion of Bray the House adjourned.

Thomas C Griffin
Speaker

Chief Clerk.

81st day

House of Representatives.
State of Montana,
Helena, Feby. 11th 1890.

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called:- no quorum present. Absent on leave Dony.

Absent:- Barnard, Beach, Blakely, Breen, Burns, Carney, Clark, Donly, Critchfield, Franks, Hardenbrook, Hastie, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Phillips, Poole, Schmidt, Stebbins, Toole, Trohey, Wallace, Whaley & Woodson.

On motion of Boardman House adjourned.

Aaron C Witter
Speaker

Benjamin Hebert
Chief Clerk

82nd day.

House of Representatives.
State of Montana.
Helena, Feby. 12th 1890.

House met pursuant to adjournment.
Mr. Speaker in the Chair.

Roll called:- quorum present. Absent on leave Davy.

Absent:- Bann, Beach, Blakely, Breen, Burns, Carney, Clark, Donly, Dutchfield, Frank, Hardenbrook, Higgins, Hollywood, Hughes, Humbert, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Wodson.

Prayer by the Chaplain.

Journals of the 80th and 81st days read and approved.

Following notice of Bill was given by Holter.
Mr. Speaker.

I hereby give notice that I will on tomorrow or some subsequent day introduce a bill to amend Section 447 of the Fifth Division Compiled Statutes of Montana

The following bill was introduced.
By Newcomer:-

House Bill No. 44.

A bill for an act to create the County of Valley, to define its boundaries and provide for its organization.

House Bill No. 44 was read 1st and 2nd times and on motion of Loud referred to a Special Committee of five. The chair appointed as such Committee Messrs. Newcomer, Moran, Norton, Lochray, and Stebbins.

Messrs. Phillips, Hastie and Stebbins were excused from the session of the previous day.

On motion of Goodman Davy was excused from attendance on the remaining days of the present session.

On motion of Harvey, House resolved itself into the Committee of the Whole to consider General Orders.
Mr. Loud in the chair.

11.45 a.m.

House resumed:- Mr. Speaker in the chair.

On motion of Roberts a recess was taken until 2 P.M.

2 P.M.

House resumed:- Mr. Speaker in the chair.

The following report was received.

Mr. Speaker:-

The Committee of the Whole of this morning beg leave to report that they have considered House Bill No. 16, House Joint Resolution No. 5 and House Bill No. 19

The Committee has instructed me to report House Bill No. 16 back with amendments and recommend that it do pass as amended by the Committee of the Whole

Also to report House Joint Resolution No. 5 back with the recommendation that further consideration of the same be indefinitely postponed.

Also to report progress upon House Bill No. 19 and ask leave to sit again.

Loud
Chairman

On motion of Monteath that portion of the report relating to House Bill No. 16 was received and laid on the table.

On motion of Goodman that portion of the report relating to House Joint Resolution No. 5 was adopted

The following resolution was introduced by Thompson.

Resolved:-

That no member of the House of Representatives, Officer or Employe thereof shall receive any mileage or per diem for attending the first session of the Legislative Assembly of the State of Montana unless said member officer or employe presents to the State Auditor a certificate signed by the Speaker of the House and Chief Clerk thereof showing the amount due such member, officer or employe.

On motion of Boardman the resolution was adopted.

The following bill was introduced.

By Dolman:-

House Bill No. 45.

A bill for an act to provide for the incorporation, establishment, maintenance, management and support of the Montana School of Mines.

House Bill No. 45 was read 1st and 2d times and referred to the Committee on State Institutions and Public Buildings

On motion of Norton the House resolved itself into the Committee of the Whole to consider General Orders. Mr. Loud in the chair.

3.30 P.M.

House resumed:- Mr. Speaker in the chair.

The following report was received.

Mr. Speker:-

The Committee of the Whole have had under consideration House Bill No. 19. report progress upon the same and ask leave to sit again.

Loud
Chairman.

On motion of Goodman the House adjourned.

Benjamin Stebbins

Jabez Clerk Aaron C Smith

Speaker

83rd day.

House of Representatives.
State of Montana
Helena, Febry. 13th 1890

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called:- quorum present. Absent on leave Dony.

Absent:- Barron, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Critchfield, Evans, Hardenbrook, Greenough, Higgins, Hollywood, Hughes, Hunter, McElwee, Penrose, Poole, Schmidt, Toole, Tuohy, Wallace, Whaley, and Woodson.

Prayer by the Chaplain.

Journal of the 82nd day read and approved.

The following notice of bill was given by Hoffman.
Mr. Speaker:-
I hereby give notice that I will on tomorrow or some future day introduce a bill for regulation of Foreign Corporations doing business within the State.

The following bill was introduced.
By Holter:-
House Bill No. 46.
A bill for an act to amend Section 447 of the Fifth Division Compiled Statutes of Montana

House Bill No. 46 was read 1st and 2nd times and refered to the Committee on Incorporations and Manufactures.

The following communication from the Senate was received.
Senate Chamber
Helena, 10th Febry., 1890.
To the Hon.
House of Representatives.
Mr. Speaker:-
I am instructed by the Senate to inform your Hon. body that the Joint Rules of the Senate and House of Representatives have been adopted by this body.
Respectfully submitted
Frederick Gilbert
Secretary.

The House resolved itself into the Committee of the Whole to consider General Orders, Mr. Loud in the chair.

11.30 A.M.

House resumed:- Mr. Speaker in the chair.

The Chairman of the Committee of the Whole was granted time to report.

The following notice of Bill was given.

Mr. Speaker:-

I hereby give notice that I will on tomorrow or some subsequent day introduce a bill entitled an act to prohibit the dumping of refuse from Coal Mines into streams of the State.

The following resolution was introduced by Storey.

Be it resolved:- By the House of Representatives of the State of Montana that a Committee of five members be appointed to receive propositions for sites for an Insane Asylum, report the same at the next regular session of the Legislature, together with the terms upon which they can be purchased.

On motion of Norton the Resolution was adopted.

On motion of Goodman a recess was taken until 2 P.M.

2 P.M.

House resumed: Mr. Speaker in the chair.

Norton moved that a recess of 15 minutes be taken.
Motion lost.

On motion of Thompson the House resolved itself into the Committee of the Whole to consider General Orders.
Mr. Boardman in the chair.

3 P.M.

House resumed:- Mr. Speaker in the chair.

Harlan moved that when the House adjourn it be to meet on Monday Feby. 17th at 8 P.M.

Norton moved to amend by making the hour 10 A.M.
Motion as amended carried.

On motion of Norton House adjourned.

Thomas C Griffin
Speaker

Benjamin Grebe
Chief Clerk.

87th day

House of Representatives.
State of Montana.
Helena, Feby. 17th. 1890.

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called:- no quorum present. Absent on leave Dorr.

Absent:- Barnow, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Critchfield, Dolman, Franc, Hardenbrook, Higgins, Hollywood, Hughes, Hunter, Lochray, McElwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley, and Woodson.

On motion of Thompson a recess was taken until 2 P.M.

2 P.M.

House resumed:- Mr Speaker in the chair.

Roll called:- quorum present. Absent on leave Dorr.

Absent:- Barnow, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Critchfield, Franc, Hardenbrook, Higgins, Hollywood, Hughes, Hunter, Lochray, McElwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley, and Woodson.

On motion of Goodman Messrs. Dolman and Lochray were excused for absence from the days sessions.

The following reports were received.

Mr Speaker:-

The Committee on Incorporations and Manufactures to whom was referred House Bill No. 46 report the same back with the recommendation that it do pass

Waite
Chairman

Mr. Speaker:-

Your Committee on Printing would respectfully report House Bill No. 30 as correctly printed

Monteath
Chairman.

Mr. Speaker:-

Your Committee on State Institutions and Public Buildings to whom was referred House Bill No. 46 entitled an act to provide for the incorporation, establishment, maintenance, management and support of the Montana School of Mines have had the same under consideration and beg leave to report the same back with accompanying amendments and recommend its passage as so amended.

Norton
Chairman

Mr. Speaker:-

Your Select Committee to whom was referred House Bill No. 44 have had the same under consideration and beg leave to report the same back with amendments and recommend that as amended it do pass.

Newcomer
Chairman

House Bill No. 46 was ordered printed.

House Bill No. 30 was placed on General Orders.

House Bill No. 46 together with the amendment of the Committee on State Institutions and Public Buildings was referred to the Committee on Printing and ordered printed.

House Bill No. 44 together with the amendments recommended by the select Committee was referred to the Committee on Printing and ordered printed.

Following report of the Committee of the Whole of Thursday morning Feby. 13th was received.

Mr. Speaker:-

Your Committee of the Whole have had under consideration House Bill No. 19 and beg leave to report the same back with amendments and recommend that the bill, as amended, do pass.

Loud
Chairman

Goodman moved that the report be received and laid on the table.

Motion lost.

Boardman moved that the report be adopted.

Howey demanded the ayes and nays, resulting as follows.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Gremough, Harlan, Harrington, Hoffman, Horsley, Howey, Mitchell, Monteath, Roberts, Thompson, and Waite.
Total 16.

Nays:- Eaton, Goodman, Hastie, Holter, Lund, Moran, Newcomer, Norton, Phillips, Stebbins, Wing and Wilson.
Total 12.

Absent:- Barnes, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Cory, Critchfield, Frank, Hardenbrook, Higgins, Hollywood, Hughes, Knuber, Lochray, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson.
Total 26.

The Speaker announced that the motion to adopt the report of the Committee of the Whole was carried; -- pursuant to which House Bill No. 19 with amendments of the Committee of the Whole was referred to the Committee on Engrossment and ordered engrossed.

The following bill was introduced.
By Eaton. House Bill No. 47.
A Bill for an act to prevent refuse from Coal Mines mingling with the waters of Streams containing fish.

House Bill No. 47 was read 1st and 2d times and referred to Committee on Irrigation and Water Rights.

The House resolved itself into the Committee of the Whole to consider General Orders.
Mr. Boardman in the chair.

3. P.M.

House resumed:- Mr. Speaker in the chair.

The Chairman of the Committee of the Whole was granted time to report.

On motion of Goodman the House resolved itself into the Committee of the Whole to consider House Bill No. 10. Mr. Waite in the chair.

3.40 P.M.

House resumed.— Mr. Speaker in the chair.

The Chairman of the Committee of the Whole reported progress and asked leave to sit again.

On motion of Waite the House adjourned.

Aaron L. Brigham
Speaker

Benjamin [redacted]
Chief Clerk

88th day

House of Representatives.
State of Montana,
Helena, Feby. 18th 1890.

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called; quorum present. Absent on leave Dony.

Absent:- Barron, Beach, Blakely, Breen, Burns, Carney, Clark, Cordy, Critchfield, Evans, Hardenbrook, Higgins, Hollywood, Hughes, Kember, McElwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley, and Woodson.

Prayer by the Chaplain.

Journal of the 87th day read and approved.

The following reports were received.

Mr. Speaker:-

Your Committee on Printing respectfully reports House Bill No. 42 as correctly printed.

Maudeath
Chairman

Mr. Speaker:-

Your Committee on Irrigation and Water Rights to whom was referred House Bill No. 47, beg leave to report the same back with amendments and recommend, that as amended, the bill do pass.

Goodman
Chairman

Mr. Speaker:-

Your Committee on Privileges and Elections to whom was refered House Bill No. 20, having had the same under consideration, herewith return the same with recommendation that it do pass.

Harrington
Chairman

House Bill No. 42 was placed on General Orders.

House Bill No. 47 was ordered printed.

On motion of Thompson Rules were suspended and House Bill No. 20 was refered to a select Committee of three.

The chair appointed as such Committee Messrs. Monteath, Norton and Wing.

The following report of the Committee of the Whole of Monday Febry 17th was received.

Mr. Speaker:-

Your Committee of the Whole having had under consideration Substitute for House Joint Memorial No. 2, report the same back with amendments, and recommend that as amended it do pass.

Also House Bill No. 8, and report the same back with the recommendation that it be laid on the table.

Boardman
Chairman.

On motion of Norton that portion of the report relating to Substitute for House Joint Memorial No. 2 was adopted.

On motion of Norton that portion of the report relating to House Bill No. 8 was adopted.

Substitute for House Joint Memorial with amendments of the Committee of the Whole was referred to the Committee on Engrossment and ordered engrossed.

Harlan moved that the House resolve itself into the Committee of the Whole to consider House Bill No. 42

Loud moved to amend by substituting General Orders for House Bill No. 42.

Amendment lost.

Original motion carried: pursuant to which the House resolved itself into the Committee of the Whole. Mr. Harlan in the chair.

11.30 A.M.

House resumed:- Mr. Storey in the chair.

On motion of Thompson a recess was taken until 2 P.M.

2 P.M.

House resumed:- Mr. Speaker in the chair.

On motion of Storey the House resolved itself into the Committee of the Whole, to consider General Orders. Mr. Harlan in the chair.

2.45 P.M.

House resumed:— Mr. Speaker in the chair.

The following report was received.

Mr. Speaker:—

Your Committee of the Whole have had under consideration House Bill No. 42 and report the same back with amendments and recommend that as amended the bill do pass.

Harlan
Chairman.

On motion of Boardman the report was adopted.

House Bill No. 42 was referred to the Committee on Engrossment and ordered engrossed.

On motion of Boardman the House adjourned.

Aaron C. Smith
Speaker

Benjamin Tibbles
Chief Clerk

89th day

House of Representatives.
State of Montana,
Helena, Feby. 19th 1890

House met pursuant to adjournment.
Mr. Speaker in the Chair.

Roll called:- quorum present. Absent on leave Dorsey.

Absent:- Barnes, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Critchfield, Frank, Hardenbrook, Higgins, Hollywood, Hughes, Kember, McElwee Penrose, Poole, Schmidt, Toole, Tuohy, Wallace Whaley and Woodson.

Prayer by the Chaplain.

Journal of the 88th day read and approved.

The following reports were received.

Mr. Speaker:-

Your Committee on Printing would respectfully report House Bills No. 46 and 47 as correctly printed.

Monteath
Chairman.

Mr. Speaker:-

Your Committee on Railroads to whom was refered House Bill No. 31 would respectfully report that they have had the same under consideration and recommend that it do not pass.

Boardman
Chairman

House Bills Nos. 46, 47 and 31 were placed on General Orders.

On motion of Loud the House resolved itself into the Committee of the Whole to consider General Orders. Mr. Moran in the chair.

11,30 A.M.

House resumed:- Mr. Speaker in the chair.

The following report was received.

Mr. Speaker:-

Your Committee of the Whole have had under consideration House Bill No. 25 and respectfully report the same back with recommendation that the bill be laid upon the table.

They have also considered House Bill No. 24 and report the same back with accompanying amendments and recommend that as amended, the bill do pass.

They have also considered Substitute for House Bill No. 5 and report the same back with accompanying amendments and recommend that as amended the bill do pass.

Moran
Chairman.

On motion of Howey that portion of the report of the Chairman of the Committee of the Whole relating to Substitute for House Bill No. 5 was adopted.

On motion of Harlan that portion of the report relating to House Bill No. 24 was adopted.

House Bill No. 24 was referred to the Committee on Engrossment and ordered engrossed.

On motion of Thompson that portion of the report of the Chairman of the Committee of the Whole relating to House Bill No. 25 was adopted.

The following resolution was introduced by Loud.

Whereas a bill has been enacted by the Senate and House of Representatives of the United States of America in Congress assembled, and approved by the President of the United States transferring all right and title in and to all the furniture purchased for the use of the Territory of Montana to the Legislative Assembly of the State of Montana.

Therefore, be it resolved by the House of Representatives of the First Legislative Assembly of the State of Montana that the control of said furniture, together with all furniture purchased for the use of the Legislative Assembly is hereby transferred to the Secretary of State of the State of Montana until such time as this House may otherwise direct.

On motion of Norton the resolution was adopted.

On motion of Greenough the House adjourned.

Aaron C. Nutter
Speaker

Benjamin Jackson
Chief Clerk.

90th day

House of Representatives
State of Montana
Helena, Feby. 20th 1890

House met pursuant to adjournment.
Mr. Speaker in the chair.

Roll called:- quorum present. Absent on leave Dorr.

Absent:- Barrow, Beach, Blakely, Breen, Bruno, Carney, Clark, Comby, Critchfield, Franc, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Peirce, Poole, Schmidt, Toole, Tuohy, Wallace, Whaley and Woodson.

Prayer by the Chaplain.

Journal of the 89th day read and approved.

The Chairman of the Committee on Printing reported House Bill No. 44 as correctly printed.

House Bill No. 44 was placed on General Orders.

Thompson moved that the Rules be suspended and that House Bills Nos. 22, 26, 28 and 30 be taken from the General Order, considered engrossed and placed on the Calendar for third reading

Eaton moved to amend by adding House Bill No. 47 and House Joint Memorial No. 4.

Amendment carried.

On motion of Goodman the question was divided.

The motions to suspend the Rules and take House Bills Nos. 22, 26, 28, 30, 47 and House Joint Memorial No. 4 from the General Order, consider them engrossed and place them on the Calendar for third reading was carried by a two thirds vote of the House.

The motion to take House Bill No. 26 from the General Order was lost.

The following reports were received.

Mr. Speaker:-

Your Committee on Engrossment to whom was referred House Bill No. 42, concerning the State Prison would respectfully report the same back correctly engrossed.

Phillips
Chairman

Mr. Speaker:-

Your Committee on Engrossment to whom was referred House Bill No. 24 concerning the better protection of Fish and Game, and House Joint Memorial No. 2 concerning Surveys of Agricultural Lands, would respectfully report the same back as correctly engrossed.

Phillips
Chairman

Goodman moved that the report of the Committee on Engrossment relating to House Bill No. 42 be laid on the table.

Motion lost.

House Bills No. 42 and 24 and House Joint Memorial No. 2 were placed on the Calendar for third reading.

On motion of Harlan House Bill No. 44 was taken from the General Order, considered in open House and read at length.

On motion of Loud the Rules were suspended House Bill No. 44 was considered engrossed and placed on the Calendar for third reading.

House Bill No. 22 was read third time, at length, placed on its final passage and passed by the following vote.

Ayes:- Boardman, Bray, Dolman, Eaton, Goodman, Harrington, Hastie, Hoffman, Horsky, Howey, Lochrey, Loud, Monteith, Morlow, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 20

Nays:- Blair, Blake, Harlan, Holter, Mitchell Moran, Newcomer and Phillips.

Total 8.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Cory, Critchfield, Franc, Greenough, Hardenbrook, Higgins, Hollywood, Hughes, Kember, Mc Clure, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson.

Total 26.

Title agreed to.

House Bill No. 28 was read 3rd time at length, placed on its final passage and passed by the following vote.

Ayes:- Blake, Boardman, Bray, Dolman, Eaton, Greenough, Harlan, Hastie, Hoffman, Hosley, Howey, Lochray, Lund, Monteath, Moran, Newcomer, Norton, Roberts, Stebbins, Thompson, Waite and Wing.

Total 23.

Nays:- Blair, Goodman, Harrington, Mitchell, Phillips, and Mr. Speaker.

Total 6

Absent:- Barron, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Cony, Critchfield, Evans, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson.

Total 20.

Title agreed to.

House Bill No. 30 was read 3rd time at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Boardman, Bray, Dolman, Eaton, Greenough, Harlan, Harrington, Hastie, Hoffman, Hosley, Howey, Lochray, Mitchell, Monteath, Newcomer, Norton, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 23

Nays:- Blake, Goodman, Holter, Lund, Moran and Phillips.

Total 6.

Absent:- Barron, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Cony, Critchfield, Evans, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson,

Total 20.

Title agreed to.

House Joint Memorial No. 4 was read 3rd time at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holter, Horsky, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Stebbins, Thompson, Waite and Mr Speaker.

Total 25.

Nays:- Norton, Phillips, Roberts and Wing.

Total 4

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Comby, Cory, Critchfield, Franz, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mr. Elwell, Penrose, Poole, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson.

Total 20.

Title agreed to.

The Speaker appointed as members of the Committee to receive proposals for sites for the Insane Asylum Messrs. Howey, Thompson, Goodman, Harrington and Greenough.

On motion of Waite a recess was taken until 2 P.M.

2 P.M.

House resumed:- Mr. Speaker in the chair.

House Bill No. 47 was read 3rd time at length, placed on its final passage, and passed by the following vote.

Ayes:- Blake, Boardman, Bray, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, Hoffman, Horsky, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 26

Nays:- Blair and Holter.

Total 2

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Donnelly, Dorr, Crutchfield, Dolman, Franz, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mr. Elwell, Penrose, Poole, Schmidt, Toole, Turkey, Wallace, Whaley and Woodson.

Total 26.

Title agreed to.

On motion of Goodman the Rules were suspended, House Bill No. 42 was read 3rd time by title only, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holler, Horsky, Howey, Lochran, Mitchell, Monteath, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 27

Nays:- Loud and Moran.

Total 2

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Donnelly, Dorr, Crutchfield, Franz, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mr. Elwell, Penrose, Poole, Schmidt, Toole, Turkey, Wallace, Whaley and Woodson.

Total 20.

Title agreed to.

On motion of Monteath the Rules were suspended, Substitute for House Joint Memorial No. 2 was read 3rd time, by title only, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holler, Horsky, Howey, Lochran, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 29

Nays:- None.

Absent:- Barrow, Beach, Blakely, Breen, Burns, Carney, Clark, Donnelly, Dorr, Crutchfield, Franz, Hardenbrook, Higgins, Hollywood, Hughes, Humber, Mr. Elwell, Penrose, Poole, Schmidt, Toole, Turkey, Wallace, Whaley and Woodson.

Total 20.

Title agreed to.

House Bill No. 44 was read 3rd time at length, placed on its final passage and passed by the following vote.

Ayes:- Blair, Blake, Boardman, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holley, Horsky, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 29

Nays:- None.

Absent- Barron, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Cory, Critchfield, Frank, Hardenbrook, Higgins, Hollywood, Hughes, Kimber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Turley, Wallace, Whaley and Woodson.

Total 20

Title agreed to.

On motion of Harlan the Rules were suspended, and House Bill No. 44 was read 3rd time, by title only, placed on its final passage and passed by the following vote.

Ayes:- Blake, Bray, Dolman, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holley, Horsky, Howey, Lochray, Loud, Mitchell, Monteath, Moran, Newcomer, Norton, Phillips, Roberts, Stebbins, Thompson, Waite, Wing and Mr. Speaker.

Total 27

Nays:- Blair and Boardman.

Total 2.

Absent-

Barron, Beach, Blakely, Breen, Burns, Carney, Clark, Conley, Cory, Critchfield, Frank, Hardenbrook, Higgins, Hollywood, Hughes, Kimber, Mc Elwee, Penrose, Poole, Schmidt, Toole, Turley, Wallace, Whaley and Woodson.

Total 20.

Title agreed to.

The following report was received.

Mr. Speaker:—

Your Committee on Public Lands have instructed me to return the communication received from the State Senate of Washington which was referred to this Committee, and recommend that the Chief Clerk be directed to transmit a certified copy of House Joint Memorial No. 2, which has passed this House, to the chairman of the Committee on Federal Relations of the Washington State Senate, accompanied with a letter explaining the reason why the Montana State Senate has not concurred therein.

Loud
Chairman.

On motion of Thompson the report was adopted.

Bray moved that a recess be taken until 11.10 P.M.
Motion carried.

11.10 P.M.

House resumed:— Mr. Speaker in the chair.

On motion of Eaton, a recess of 15 minutes was taken.

11.30 P.M.

House resumed:— Mr. Speaker in the chair.

Mr. Loud was called to the chair.

The following resolution was offered by Greenough.

Whereas:— The Hon. Aaron O. Witter, as Speaker, has presided over the deliberations of the First Session of the House of Representatives of the State of Montana at all times with urbanity and dignity, his rulings have uniformly been fair and impartial, and have been satisfactory to the members of this House,—

Therefore, be it resolved:— that we express our appreciation of him as our presiding officer, by extending to him a vote of thanks.

On motion of Boardman the Resolution was unanimously adopted.

The following resolution was offered by Phillips

Resolved:- That we the undersigned, attaches of the House of Representatives of the First Legislative Assembly of the State of Montana, desire at this the closing hour of the Session, to tender to the presiding officer of this body our grateful and hearty thanks for the uniform courtesy and kindness extended to us during the past ninety days, and to wish to him, and to those whom he loves best, unalloyed and uninterrupted prosperity and happiness, now and through all the coming future.

Benjamin Webster - Chief Clerk
A. D. Smith. Asst. " "
J. D. Taylor - Sergeant at Arms.
Wm. M. Cook - Enroll'g & Engross'g Clerk
Esther E. Evans. - Stenographer & Type Writer.
Margaret Cunningham, - Committee Clerk
Geo. Bleeker - " "
Chas. B. Gibbs - Doorkeeper
B. F. Hooper - Watchman.
H. T. Webb - Chaplain.
Frank Cochran - Page
Willie Pope - "

On motion of Thompson the resolution was unanimously adopted.

The following resolution was introduced by Moran.

Resolved:- That the thanks of this body are hereby extended to B. F. Webster for the able and faithful performance of his duties as Chief Clerk of this House, and that we recognize in him a worthy and efficient officer.

On motion of Witter the resolution was adopted.

The following resolution was offered by Eaton.

Resolved:-

That in recognition of the punctuality and faithfulness with which the Rev. H. T. Webb has discharged his duties as Chaplain of this House, and in most cordial testimony to his eminent Christian character and to the affection and admiration in which he is held by this House, that a vote of thanks is hereby extended to him by this House, with our best wishes that the blessings of Heaven which he has daily invoked in our behalf may accompany him through life.

On motion of Howey the resolution was unanimously adopted.

The Speaker resumed the chair.

The following resolution was introduced by Monteath.

Resolved:- That the thanks of this body are hereby tendered the attaches of this House for the able and diligent manner in which they have uniformly discharged the duties devolving upon them.

On motion of Phillips the resolution was adopted.

The following resolution was offered by Loud.

Resolved:- That the thanks of this House be, and are hereby extended to the Chairman of the Committee on Printing, for the efficiency with which he has discharged his duties.

On motion of Howey the resolution was adopted.

The following resolution was introduced by Howey.

Resolved:- That a vote of thanks be and are hereby tendered to Frank Cochran and Willie Pope for their gentlemanly conduct and efficient services as Pages of this House.

On motion of Goodman the resolution was adopted.

The hour of 12 Midnight having arrived the Speaker announced that in accordance with the provisions of the State Constitution it became his duty to declare that the House of Representatives of the First Legislative Assembly of the State of Montana stand adjourned without a day.

Aaron E. Griffis
Speaker

Benjamin Ostrander
Chief Clerk